

**Work, Organization, and Employment**  
*Series Editors:* Tony Dundon · Adrian Wilkinson

Maurizio Atzeni  
Immanuel Ness *Editors*

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# Global Perspectives on Workers' and Labour Organizations



# **Work, Organization, and Employment**

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# Global Perspectives on Workers' and Labour Organizations

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# **Introduction**

## **Transformations of Capitalism and the World of Work**

The post-Second World War redistributive model, based on mass production, consumption, and employment, which has been able to increase wealth, establish the basis of the welfare system in many central and peripheral countries for various decades, and give centrality to the industrial working class, has been superseded by an aggressive and deeply unequal system based on financialization and resources extraction (Mezzadra and Neilson 2013a; Harvey 2010), that is undermining democracy (Streeck 2016).

The turn to neoliberalism since the middle of the 1970s and the speeding up of processes of technological innovation, particularly associated with transport and communication, have radically changed the social landscape of the world, the productive structures of societies, the geographical distribution of work, and the paradigms of work organization (Atzeni 2014; Newsome et al. 2015), ‘making and unmaking’ working classes across industries and geographical spaces (Silver 2003) and leading to new reconfigurations of work and labour centred one way or another on conditions of precariousness. (see for instance Atzeni and Ness 2016 special issue of the Journal of Labor and Society). Western urban labour markets have been transformed into post-industrial, service-oriented precarious environments inhabited by a growing mass of unprotected migrant workers; the consolidation of cities across the globe as centres of value creation and realization, led by financial and real estate speculation, has produced an increase in the global urban population, with profound inequalities both in terms of living and working conditions and access to consumption goods; the development of distribution, logistics, transport, and services provision across the global value chain has allowed corporations to extract value across the whole chain using existing countries differentials; the spread of information technology, the lowering costs of sea and land transportation, and the speed of capital’s mobility have facilitated processes of delocalization and a ‘race to the bottom’, in terms of salaries and working conditions, setting the basis for a new international division of labour. Services based on digital platforms such

as the one provided by Uber or Amazon's Mechanical Turks further flexibilize and deregulate work, penalizing particularly women and young people that remain trapped by the possibility of an easy economic return with flexible work hours.

The political economy of neoliberal capitalism has also been marked by dramatic transformation in the organization of work. The most significant change is the shift from Fordism and highly centralized industrial production to post-Fordism as the dominant form of production. This process has led to contracting through labour brokers and the decline in the capacity of workers to defend their conditions through trade unions. To facilitate this process of weakening labour organization, large factories were replaced by smaller facilities employing a fraction of the workers. Concomitantly, major manufacturers further increased surplus value through shifting responsibility for the organization of production to labour contractors. Even in the large production installations, manufacturers shifted responsibility for employing most workers to third-party labour brokers. This has created an informalization of the formal sector. As commodity production has expanded to a global platform, dependence on contract labour has increasingly become the norm, especially in the Global South. This transformation of the key manufacturing sectors exhibits that the increasing interdependency is highly reliant on low-wage workers in the informal economy.

These transformations of capitalism and of the world of work have also been associated with processes of internal and international migration that have contributed to further hasten differences between people, creating new legal divisions and social borders between have and have not (Mezzadra and Neilsen 2013b), and have been exploited to produce more and cheaper, though often in conditions of slavery and forced work, forms of exploitation mistakenly considered as relics from the past (Anderson 2010; Van der Linden 2008 and Montero's chapter in this book). Processes of migration have been made worst by the exponential unplanned growth of metropolis, particularly in the South of the World. Here in shanty towns and slums of all sorts is where a mass of deprived, marginalized, precarious, and disposable workers survive day by day (Davis 2006; Breman 1996) not just in poverty but virtually on the verge of expulsion from the system (Sassen 2014). Meanwhile, women continue to bear the costs of this system-generated precariousness, expulsions, and inequality, supplying the deficiencies of market-generated incomes with the 'non-economic' and 'invisible' work of social reproduction performed in the home sphere (Federici 2012).

## Precarious Work and the Organization of Workers

In this context of profound systemic changes that have eroded workers' rights and led to a worldwide crisis of the traditional labour movement, the issue of precarious work and of the organization of precarious workers has become central to research not just within the sociology of work and labour but also across the whole social sciences' spectrum. Precariousness, both as a work and material life condition, is

highly political with two open questions directly interrogating this political dimension. Can precarious labour be seen as the new common ground around which different and newly emerging subjectivities mobilize? Is it reconfiguring the organizational and political forms of working-class representation?

Many have rightly challenged the concept of precariousness as something new. Third World countries have always had informal, low paid, insecure, and thus precarious workforces. Similarly, Western countries' early industrial development has been based on the exploitation of a mass of poorly paid workers, often living in appalling conditions. Despite amelioration of some conditions and institution of protective legislation in the post-Second World War era, more than 3 billion labourers, the majority of the working people in the world, still live with less than two dollars a day, an income for their work sufficient enough just to live in barely sustainable conditions. Moreover, two centuries after the formal abolition of slavery, millions of workers continue to be victims of various forms of forced and bonded labour, particularly in the apparel and food industries serving the world consumers' market. Thus, when we take this broader historical and geographical perspective, precarious work appears as the norm within capitalism. Fordism is the exception (Neilson and Rossiter 2008) but with this also the same idea of the ideal-typical, formal, protected, Fordist industrial worker. The latter has for more than a century been the epitome of the working class but it clearly becomes partial and one-sided. As Michael Denning rightly argued in his attempt to 'decentre wage labour', it is not necessarily the wage as formal contract of exchange that creates proletarians but 'the imperative to earn a living' (Denning 2006). Theoretically, a 'multiplication of labour' (Mezzadra and Neilson Border) made up by a variegated range of 'subaltern' workers' (Van der Linden 2008) is enlarging the concept of the working class beyond the model industrial workers of the twentieth century.

Precariousness is not new. Differences of conditions in different parts of the world and economic sectors and among the various forms of precariousness make this as a general mobilizing concept difficult to use. Organizing workers to struggle against precarious working conditions is further complicated by the autonomy and geographical dispersion that characterize many precarious jobs today.

However, all these technological, organizational, and sociopolitical changes are creating to a certain extent, especially in urbanized areas of the world, common conditions of precarious work and life for many. Precarity as a material condition is today crossing the divide between previously clear demarcations: the formal/informal; citizens/non-citizens; North/South; workplace/community. Similarly, the creation of new geographical spaces of capital accumulation such as the one of the special economic zones, of the land and maritime industrial and commercial corridors, of the logistic hubs, of the borders industrial zones, produces a potentially critical mass of precarious, mainly migrants, workers located often at strategic points of global capitalism's productive chains.

From a political point of view, the sharing of similar working and living conditions and of experiences of struggle against informal and precarious labour can open the room for a new common language of dispossession and oppression of a new working class in the making. However, the passage from an understanding

of the common experiences and differences composing today's living labour to the composition of a political subject promoting the interests of the working-class majority, as Marxist autonomists would probably phrase it, is constantly obstructed by ideological and material conditions.

As sociologists committed to the production of socially relevant research, there is much we can do in the ideological sphere to raise social awareness and produce a counter-hegemonic knowledge. We can establish connections between specific models of accumulations/institutional frameworks and workers' material conditions and show how these models are actively produced and reproduced, creating simultaneously solidarity and fragmentation among workers and thus explaining the difficulties experienced by these in terms of organization. We can produce new knowledge on unexplored and invisible sections of the working class or map capital and living labour composition in geographically defined and strategic areas, such as cities or logistic hubs. We can study precarious workers and their political alliances, their organizational forms, and their links with state institutions and power. We can investigate how new class identities and organizations are increasingly built across space, in the workplace, in the community, in the household, connecting the spheres of work and life. We should, following David Harvey, understand how consumerism and the lifestyles dictated by the form urbanization takes are important in creating new needs, new demands, and new interests on the part of workers and thus how 'to get around with forms of organizing that actually recognize this change in the dynamics of class struggle' (Harvey 2015).

These lines of research that can be traced in various of the chapters building this book can help to link the issue of precarious work to a broader political-economic dimension and to ground debates on the perspectives of precarious workers' organization within the context of currently and locally existing capitalist relations, rather than in more abstracted trade unions' strategies and responses. In fact, the major problem that the 'rediscovery' of precarious work as an area of research within the field of labour studies has created is that has not been accompanied, in general, by a serious reflection on the problem of organization. Studies have generally focused on top-down, trade unions-centred experiences and strategies of organizing precarious workers and even when other configurations and alliances have been considered, as with the case of community unionism, this has always been done from a trade unions' point of view (see, for instance, Benassi and Dorigatti 2015; Mrozowicki et al. 2013; Kretos 2011). This narrow approach does not allow to delve deep into the complexity and richness of the social processes and mediations conducive to collective organizations and to identify the contextual structural factors, material circumstances, and concrete possibilities affecting precarious workers' daily reality.

The issue of precarity and precarious work is central to any emancipatory discussions within the current capitalist dynamics. But as labour specialists, we have to be able to move from a still dominant trade unions-centred approach to a truly working-class analysis and do this by reconnecting the precarity affecting the sphere of work with that affecting the other spheres of life. This can be done, for instance, by looking at how the precarization of work and life has been supported by the unpaid work women have continued to supply within the sphere of social reproduction and

how this has created different strategies of resistance and survival beyond the workplaces. Similarly, we can look at the experiences of self-management and the solidarity economy in neighbourhoods as forms of people resistance to the precarization of work and life that simultaneously prefigure alternatives working arrangements and economics.

In a recent intervention on building working-class power, David Harvey argued that organizing territories around the difficulties of everyday life is what would help the leftists to get out of the ‘symbiotic relationship’ of organizing ‘themselves in the same way capital accumulation is reorganized’ (Harvey 2015). Footprints of labour studies’ ‘symbiotic relationship’ with a trade unions-represented working class continue to be dominant across social sciences disciplines. Trade unions will probably remain the best organizational form to collectively mobilize the self-activity of workers and can still play a powerful role in organizing workers worldwide, but we need to explore what is the potential for new forms of workers’ organization which develop on the shop floor and neighbourhood through grass roots activity and how viable are these alternative forms of workers’ organization in challenging employers and the state. An analysis of today’s work through the lens of precarious work and the forms of organization that around this can emerge offer a ‘tipping point’, in Sassen’s definition, through which understand broader changes in working-class conditions and issues, opening to new hope and possibilities of emancipation from capitalist work (Sassen 2006).

## Book Summary

The chapters in this book are comprised of a selection of original case studies from across the globe broadening research on the forms of collective identity and organization used by workers in the often ‘invisible’ underworld of precarious work. Starting from the analysis of specific contemporary cases of organization or in a more historical perspective, all chapters look at processes of collective identity formation and organization using a bottom-up approach focusing on workers’ self-activity, thus critically engaging with existing forms of trade unions representation. While this and the focus on precarious work can be seen as the common denominators of all chapters, we have grouped the nine chapters of the book in two different parts depending on the sphere of capital accumulation around which each case gravitate. In Part I, ‘Life reproduction in urban spaces’, we have included chapters dealing with workers employed in work activities directly related to the sustainability of life in cities with cases on the hospitality, retail, domestic, recycling, and textile sector. In Part II, ‘Value production in industries’, we have grouped together chapters with work processes in traditional industrial value-producing activities, as with the construction, the export-led automotive and electronic industries, or with the service industries associated with the use of the new digital technologies. We think this division focusing on the different spheres of capital accumulation can help to see how precariousness, with its multiple forms

and different contractual relations, has become essential to the development of capitalism globally, spreading now across different types of work and sectors of activities and overcoming the formally/informally employed and the productive/unproductive divides.

The first part, ‘Life Reproduction in Urban Spaces’, is opened by *Rethinking Labor Unionism in Spaces of Precarious Work*, a chapter written by Ian Macdonald. Based on case studies of firm-centred and state-regulated forms of labour unionism taken from the hospitality and cultural industries in two North American global cities, the chapter reflects on the limitations of existing union strategies to struggle against precariousness. These strategies are considered either defensive and/or representative of a declining sector of the labour force and in some cases further fragment workers along various dimensions of working-class life, including residential versus workplace, skill versus de-skilled, producer versus consumer, race and citizenship status. However, unions engagement with identities and interests of working class traditionally considered non-class because outside of the workplace, such as with housing, civil rights, and access to public services, can be seen as a positive development towards a more urban and politicized form of union organization that builds power by mobilizing the working class as a whole around demands that seek to redress both precarious work and precarious access to the means of life.

In Chap. 2, *Organizing Immigrant Workers Through ‘Communities of Coping’: An Analysis of Migrant Domestic Workers’ Journey from an Individual Labour of Love to a Collective Labour with Rights*, Joyce Jiang offers a grounded account of the organizing strategies of a migrant domestic workers’ self-help group in London. Through a bottom-up analysis of migrant’s workers collective mobilizations, the chapter argues that ‘communities of coping’ out of workplaces by creating a safe space which provides skills, solidarity, and leadership in collective mobilizations serve as a basis for resistive labour organizing. The case of the chapter suggests that traditional trade unionism might not be compatible with the socio-economic needs of immigrant workers. These are normally concentrated in dispersed and individualized sectors where union density is low or workplace-based organization is virtually impossible and have a variety of economic and social issues including low wage, harsh working conditions, precarious visa status, social isolation, and discrimination, some of which are not the main agendas of traditional unions. Moreover, the tradition of authoritarianism and hierarchies plaguing classical trade unions might have a negative impact on grass roots empowerment of immigrant workers. However, this does not mean trade unions have lost their relevance in organizing immigrant workers. It is important for union to perceive itself as or part of a wider social movement instead of an institutionalized interest group in order to organize immigrant workers effectively. Otherwise, the instrumental and bureaucratic processes of traditional union organizing might even undermine the bottom-up mobilization efforts of immigrant workers.

In Chap. 3, *Mobilizing Concealment and Spectacle Among Uruguay’s Waste-Pickers*, Patrick O’Hare explores the organizational and strategic methods of Uruguay’s waste-picker (*clasificador*) trade union, the UCRUS. The union, faced

with a municipal antagonist sensitive to public representations of waste, engages in a ‘spectacular politics’, where attention is drawn to the presence of waste-pickers through the organization of large, colourful, horse and cart marches. UCRUS is one of the only waste-picker organizations in the world to be affiliated to a national trade union federation and always emphasizes that waste-pickers are workers like any other, in this case exploited by recycling sector intermediaries and repressed by certain public policies. But at the same time, the union has long attempted to build a collective identity and consciousness among waste-pickers by creating bonds between *clasificadores* from different areas of Uruguay and neighbourhoods of Montevideo. In this sense, the case of UCRUS can be seen as an example of the need to adopt a union/social movement approach in the organization of precarious workers. However, this approach and collective action strategy are not suited to all parts of the Uruguayan waste trade, such as the landfills where *clasificadores* work semi-clandestinely. With exposure putting their access to the landfill at risk, these workers engage in a labour politics based around affect and concealment and adopt a more restricted form of collective struggle and identity based on territorial and kinship lines.

In Chap. 4, *Local Sweatshops in the Global Economy: Accumulation Dynamics and the Manufacturing of a Reserve Army*, Jerónimo Montero, starting from the case of the anti-sweatshop activism of unions and community organizations in Buenos Aires, asks what does the return of local sweatshops mean for debates on unfree labour and capitalist accumulation and what organizational strategies can be most effective to improve the working conditions of the migrants workers employed in local sweatshops. In the context of Argentina, unions are far from considering the defence of these workers among their goals. While there is some progress in the largest union confederation (CGT) in taking forced labour seriously and from the point of view of the defence of the migrant workers’ rights, this requires years of work as racism and lack of confidence towards workers who accept awful conditions is deeply embedded in union politics. When the agenda against forced labour is taken by NGOs as has been often the case in Buenos Aires, class perspectives are largely absent and improvements are poor.

Chapter 5, by Bridget Kenny, *Labour Politics and South African Retail Workers: Enduring Collectivities in the Face of Precariousness*, closes the first part of the book examining retail workers, one of the most precarious and gendered workforces within South Africa. In the chapter, the author asks why a feminized service sector workforce has consistently maintained a politics around the workplace and interrogates how and why in the context of intensifying precarity, and the resulting fragmentation of the labour market through casualization and subcontracting, retail workers themselves have sustained ongoing attachments to a collective labour politics. The chapter critiques labour sociology which seeks out the ‘spectacular’ or which explains labour politics in terms of bargaining power. It argues that both strands offer teleological (and tautological) explanations of worker action and political aim. Through research covering twenty years of work with retail workers in South Africa, the chapter traces changes to retail worker politics through labour law reform, through retail expansion, and through the entry of Wal-Mart into

South Africa in order to show the persistence of workers' political subjectivity. Forms of action and collective subjectivity endure in complicated relation to trade unions. South African retail workers offer us a context in which to examine presumptions about precarity defined as 'loss' of formerly secure conditions and about the durability and malleability of working class and workplace identities under conditions of precariousness.

Chapter 6, by Jenny Chan, *The Collective Resistance of China's Industrial Workers*, opens the second part of the book, focusing on value-producing industries in service and manufacturing. The chapter, using examples from various industries, makes a general assessment of Chinese industrial workers forms of collective resistance in an authoritarian context and export-led market. With the concentration of capital in the global supply base of China, the workplace bargaining power of Chinese workers has increased. When workers withdraw their capacity to labour at central points of transnational production, the collective action can cause huge losses not only to the company, but also to international buyers who are heavily dependent on it. In recent years, self-organized collective mobilizations have taken place in many export-led industries helping workers to obtain better salaries and improvements in working conditions, despite the difficulty of organizing outside the party-state-run trade unions. However, as employers prioritize profits, efficiency, and organization flexibility, they increasingly tap into lower-cost student interns and dispatch labour to cope with rising production needs, often at the sacrifice of the interests of regular or formal workers.

Chapter 7, "We Fight Against the Union!": *An Ethnography of Workers' Antagonism to Employer Protection Unions in Mexico. The Case of Auto Industry*, Paolo Marinaro looks at how workers represented by bureaucratized trade unions in the automotive clusters of Mexico have responded to precariousness in an industry whose workers were not long ago considered privileged, both in terms of wage levels and job security. The ethnographic approach used by the author helps to see how Mexican auto workers organize in autonomous and clandestine movements using wildcat strikes and international solidarity as privileged instruments of struggle to fight against the employers, the state restrictive legislation of mobilizations through official arbitration boards, and the so-called employer protection unions. These unions are known for colluding with corporations unconditionally, defending private investments from workers' demands, combatting legitimate independent unions and labour movements through illegal means, and engaging in corruption, intimidation, and other violent practices.

In Chap. 8, *Organizing Informal Female Workers in India: Experiences from the Construction Industry of Mumbai*", Kadambini Chheda and Anuradha Patnaik move the analysis from the sphere of value created in industrial export-led productions to that of value created through processes of revalorization of the built environment in global cities. This is an important sphere of value creation that employs large numbers of informal workers. In India, these workers represent 93% of the total workforce but have always been neglected by traditional unions, limited to addressing the issues of formal workers. Alternative organizations like NGOs, self-help groups, cooperatives have normally represented the interests of informal

workers. These organizations were popular among informal workers as they had better relationships with the local community and workers. They created leadership among the local workers giving them advantage over other formal unions. However, low experience, proficiency, resources, skills, and political will were the major drawbacks faced by these organizations. In a rising wave, ‘all-women’ unions too played a substantial role in uniting informal female workers in India. The chapter discusses the various strategies used by one of these all-women organization, Maharashtra Mahila Mahasangh, in unifying female construction workers in Mumbai and the challenges faced by the organization due to the fluctuations of socio-economic conditions and institutional settings.

Chapter 9, *Labour Reconfiguration and Workers’ Resistance: Global Perspectives Digital Labour and Workers’ Organisation*, by Jamie Woodcock close the book on a topic of extreme relevance for the future of work and workers’ organization. The rise of digital labour is changing how people work and provides new challenges for worker organization. However, there is disagreement on what exactly constitutes digital labour and its impact more broadly, with different dynamics existing in the global North and South. The chapter addresses these discussions in two parts, drawing on the Autonomist Marxist concept of class composition. First, it examines the technical composition of digital labour, looking at the organization of digital labour process by capital. This covers four examples: customer service operators, software developers, outsourced moderation workers, and crowdsourcing workers—while also focusing on India and China. Second, it discusses the political composition of these workers, focusing on forms of resistance, struggle, and organization. The example of software developers is considered here due to the role they play in creating and maintaining the software upon which other labour processes rely. The chapter argues that these components provide important insights into how capital is reorganizing work through the application of digital technologies—these are situated as the result of class struggle, rather than neutral tools. It emphasizes the potential of new forms of resistance and organization in a digital context.

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**Part I**

**Life Reproduction in Urban Spaces**

# Chapter 1

## Rethinking Labor Unionism in Spaces of Precarious Work



Ian Thomas MacDonald

**Abstract** The neoliberal regime of production and services has created a rapacious neoliberal regime that has severely eroded established trade unions and expanded informal work in capitalist countries and leading to the vast expansion of precarious labor, which provides low wages and limited job security. To counter these efforts, unions must challenge precarious work arrangements at the policy level to broaden the forms of labor representation into nontraditional jobs. To do so, unions are compelled to take a far broader view of their organizing and representation function through organizing around class and aligning with new social movements around race and gender, housing issues, and public services. Urban space is the staging ground for new social movements which, whether struggling against gentrification, in defense of public services, for living wages or against racist policing, have a working-class character even if they are not rooted in the workplace. Unions must seize on their potential to develop strategies for the mobilization of urban-based class solidarities in commercial and gentrified spaces that are vulnerable to working-class demands and collective action.

**Keywords** Labour organization · Precarious work · Regulaory regimes  
Urban space

### 1.1 Introduction

For an increasing majority of workers today, forming a trade union is not perceived as a viable means of improving working and living conditions. Unions represent to many not a pathway to economic justice, but a more or less beneficial status associated with employment in a particular economic location. In the USA and Canada, countries which share similar industrial relations institutions and union traditions, it has long been the case that most workers become union members as a

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result of being hired into a unionized workplace, rather than mobilizing to form a union. For a shrinking minority of workers who do benefit from collective representation, unions may still be relevant in securing union wages and preventing untrammeled managerial authority. However, the dynamics that have blocked unionization as a pathway to improving work and living conditions for new layers of the working class have also undermined the belief among union members that collective representation can serve as a vehicle to make gains in the workplace. Union strategies are overwhelmingly defensive. Across North America, labor is concerned with defending the institutional basis of the union itself, union employment levels, and the wages and working conditions of the membership, usually in that order of priority. Not unreasonably, this defensive posture reinforces the view held by many nonunionized workers that unions serve to protect a fortunate few. Organized workers today are concentrated among professional, full-time, and relatively high skilled positions in the public sector and what remains of the industrial economy. The unions that represent these workers are adrift in a sea of unorganized and increasingly precarious workers.

I argue in this chapter for a rethinking of labor unionism from the understanding that the same transformations in labor markets and firm organization that have so weakened organized labor in North America have also blocked unionization as a viable solution to precarity for most workers. Against readings of precarity that effectively rationalize working-class fragmentation (Standing 2011), I argue that precarity in advanced capitalist societies should be understood as a dominant paradigm in employment relations with class-wide, if differentiated, implications for employment security and bargaining power. The increasing prominence of precarious work renders inadequate a form of labor unionism inherited from Fordist industrial organization—inadequate either in defending core workers or in organizing the growing ranks of precariously employed. To the extent that unions representing core workers have addressed precarious work, this has been done defensively to maintain organizations that represent a declining sector of the labor force. The argument is sustained with a discussion of case studies from a multi-year collaborative research project concerned with understanding how unions attempt to produce ‘good jobs’ through urban mobilization and local forms of state regulation. These strategies remain wedded to a project of re-affirming firm-level collective bargaining that would seem to assure a role for unions as labor market intermediaries while often furthering working-class fragmentation. A concluding section argues that a form of labor organization adequate to confronting precarity would require, contrary to existing strategies, a decentering of labor organization from the firm and firm-level collective bargaining. Confronting precarity calls for building bargaining power with employers and the state that strengthen workers as a class. This will involve moving toward a more urban and politicized form of labor organization that builds power by mobilizing the working class as a whole around demands that seek to redress both precarious work and precarious access to the means of life.

## 1.2 Precarious Work and the New Capitalism

Precarity, with its connotation of something that is likely to collapse or fall over, might seem an especially inadvisable identity on which to find the renewal of our labor movements. It is interesting to recall that the word first referred to a social relationship rather than a poorly placed object. The first use of precarity in the English language, introduced in early seventeenth-century England, conserved its original Latin use, meaning ‘given as a favor.’ It came to refer, according to the OED, to ‘the idea of being given something—the right to occupy land, or to hold a particular position—at the pleasure of another person, who might simply choose to take it back at any time.’<sup>1</sup> This usage coincides with the dispossessions from the commons and from feudal lands that birthed wage labor and captures the terrifying new insecurity of access to the means of life that this represented for growing numbers of people. In a general way, then, precarity can refer to—and should not be counterposed to—a historical and ongoing process of dispossession that is constantly forming and reforming working classes (Harvey 2003; Palmer 2013; Jonna and Foster 2016). The concept’s original use suggests the two-sided nature of precarious existence that remains relevant today: on the one side, loss of direct access to the means of life, and on the other side, insecure access to paid work from which a life might be earned.

Before it became the object of academic research, ‘precarity’ was a political concept, intended to invoke an anti-capitalist subjectivity from social categories as disparate as highly educated youth, workers in new creative industries, and migrant women care workers across Europe, by drawing attention to the exceptional nature of their insecure relations to employers. Bourdieu (1998) introduced the term to European public debate by underlining how the abandonment of full employment policies transformed our notion of work as an imposition and source of exploitation into a privilege for which we must now compete, both in the labor market and in the workplace. Bourdieu invoked the return of Marx’s reserve army of labor in the core countries, which in the new guise of *précarité* operated not just at the bottom of the labor market, but transversally across different occupations and skill levels. Precarity was defined as exceptional, compared with a Fordist–Keynesian norm, but not to the long sweep of capitalist development, and differentiated, to the extent that precarity is experienced directly as a form of discipline by the precariously employed and indirectly as fear and insecurity by full-time ‘permanent’ workers.

Some critics have pushed back at the notion that precarity represents the future of work under capitalism (Doogan 2009). If precarious employment is to refer narrowly to contract, on-call, and temp agency work, then the phenomenon would appear to be of marginal significance, at least insofar as the US labor market is concerned. The US Bureau of Labor Statistics found that in 2015 these contract types—what they called ‘core contingent’—represent 7.8% of the labor market, up

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<sup>1</sup>‘Precarious’, in OED Online, <http://public.oed.com/aspects-of-english/word-stories/precarious/> (Accessed August 22, 2016).

from 4.9% in 2005. ‘Precarity’ may be a useful frame for thinking about how to organize a stratum of workers who have been shunted into insecure forms of work, but not relevant to a majority of the working class. For the latter, Doogan argues, ‘precarity’ as a political concept is counterproductive, further undermining the power that workers exercise in the workplace on the understanding that they can resist employers without easily being replaced.

But evaluating the relevance of precarity as statisticians would—the most insecure employment contracts in terms of total employment—overspecify the concept and miss the political point. Contract, own account, and agency labor are unlikely to become prevailing forms of organizing work in advanced capitalist economies. Efficiency and the profit motive, not just workers’ resistance or labor laws, limit the extent to which firms will farm out detailed work to self-employed individuals selling ‘packets of time’ (Breardi 2009). There is no reason to suppose that capitalism will do away with wage labor—regardless of how and where it is distributed, profit ultimately depends on the difficult task of organizing and exerting control over a labor process somewhere that is collective and embodied. This is true regardless of whether work is performed under the same roof or in dispersed worksites. New digital platform business models do not overcome the dilemmas of wage labor for employers but only appear to do so through the technological mediation of managerial control, while government regulation permits these firms to evade de facto employment relationships. The evasion works as a cost containment strategy because the government-regulated employment relation has been the dominant institutional arena in which producers have bargained over the value of work.

It is a category mistake to think that precarity is a problem at the margins of the labor market. Precarity can rather be thought of as ‘the dominant feature of the social relations between employers and workers in the contemporary world’ (Kalleberg 2009: 17) if we consider the systemic importance that contingent labor has come to play across labor markets and within production. Contract, own account, and agency labor do not have to become prevailing forms of organizing work to have these effects. Marx emphasized the importance of the reserve army of labor not because this encapsulated the general state of working-class life, but because of its importance as a regulator of wage labor and ultimately the guarantor of capitalist reproduction. Similarly, temporary agency and company contract workers can be said to play a regulatory function in today’s urban labor markets insofar as they help firms to stabilize high profit rates by lowering the costs of constantly restructuring their workforce, responding to downturns, as well as by putting downward pressure on local labor market norms (Peck and Theodore 2007, 2012). A small proportion of total employment is made to bear a disproportionate role in adjusting to the dynamics of capitalist accumulation.

Within production, labor market insecurity represents an opportunity to divide workers and increase work effort in the absence of the old firm-level forms of consent—internal labor markets, pensions, and collective bargaining. Contract and agency workers, whose work effort is largely determined by their precarious position in the external labor market, can be used strategically to leverage the work

effort of the ‘permanent’ workforce (Holst et al. 2010: 124). Permanent workers may regard contract and agency workers as a functional complement to their own work and their own status as a hard-earned privilege, or they may regard the use of temporary workers as a threat and disciplining mechanism. Working within a core-periphery conception of post-Fordist labor markets, Gorz (1999) argued that the former perspective would prevail and class conflict would be expelled outward from core firms (‘post-Fordism creates its own elite by creating unemployment’). But firms driven by relentless pressures to maximize profits are not capable of sealing this deal. Rather than a contented elite coddled by high commitment employment practices, even relatively high skilled workers on full-time contracts are subject to ever greater discipline, stress, and work intensification (Thompson 2013; Dobbins and Dundon 2015). The task for the labor movement is surely to emphasize the ways in which precarious employment disciplines the working class as a whole and to develop organizational capacities and strategies out of this understanding that unite workers across work status distinctions (Breman 2013).

Ironically enough, this understanding of precarity as a general class phenomenon is more prevalent in European debates, where in fact labor markets are more likely than in North America to be more formally dualized between ‘permanent’ workers with stronger employment protections and a relatively larger number of precariously employed workers. In the USA, where workers enjoy the lowest level of employment protections of advanced capitalist countries, ‘permanent’ status is surely a misnomer. The permanence of employment contracts has to be set against constant workplace restructuring in the absence of legally mandated severance pay, work intensification and coercive performance reviews, the collapse of workplace pensions and inadequate social security and public healthcare systems. Workers who do not fit the definition of ‘core contingent’ nevertheless feel themselves to be precarious because job loss is a constant threat and because the consequences of job loss are so punishing. In countries with more formal employment protections, the state has taken a leading role in deregulating employment. In the USA and Canada, where unions have shaped employment norms at the firm and workplace level, employment protections have ebbed with the decline of union coverage.

This has made it more difficult to discern precarity as a political and class phenomenon. It is also the case in North America of course that the most precarious forms of work are not evenly distributed across labor markets or economic sectors. They are concentrated in the private service economies of large cities, along with agriculture and low-wage industry, and precarity is differentiated by the ways in which Canadian and US labor markets have long been segmented by gender, race, and citizenship status (Vosko 2006; Bernhardt et al. 2008). As the manufacturing sector continues to shed labor with declining rates of investment, automation, and offshoring, employment has piled up in low-productivity private services where profitability depends on maintaining low wages and evading labor standards. The state has played a crucial role in underwriting the expansion of this sector through a range of public policies.

With zero-budgeting, the public sector itself has become a major driver of part time and contract employment growth (Noiseux 2008). Privatization of welfare

state functions has shifted work from the public sector, where it was more likely to be better paid and secure, back to the domestic sphere and to the market. The service sector work that this has generated is typically low paid because, as gendered work, it is undervalued. The increasing prominence of precarity in labor markets, McDowell and Dyson (2011) have argued, reflects the commodification and privatization of social reproductive work which has always been atypical. In other words, waged work has become more precarious as it has expanded into areas of work that never conformed to the standard employment model. The importance of thinking about precarity from the perspective of social reproduction could be expanded by considering the impact of privatization and welfare state retrenchment on access to the necessities of life. The privatization of welfare functions, increased user fees and the declining coverage of public services including the abandonment of public housing programs—all of this creates insecurity for low-income workers by expanding the range and increasing the price of necessities that must be purchased with uncertain access to poorly paid work.

Precarious employment policies have been directly facilitated by state policies geared toward expanding labor market participation in ways that target the poor and weaken the working class as a whole. Employment insurance and welfare programs have been reformed to enforce labor market discipline by tightening eligibility criteria and by coercing the return to degraded labor markets. Anti-vagrancy laws and policing strategies have been retooled to drive the poor from urban survival strategies such as panhandling back into the bottom of the service sector labor market. A shift to means-tested income supports as a containment response to growing poverty has allowed employers to hire workers at wages below the cost of reproducing the working-class family—a hidden subsidy to profitable enterprises which institutionalizes in-work poverty (Jacobs et al. 2016). In Canada, temporary foreign worker programs that separate paid work from the social and political rights that used to be considered indissociable from employment in a democratic society were at first confined to the sphere of domestic labor, defined as exceptional, but have since grown at the behest of employers to include leading sectors of the productive economy, including construction, resource extraction, manufacturing, IT, banking, and hospitality. States produce precarious work most egregiously by selectively allotting the political and social rights of citizenship among people working in the same country, locality, and workplace and aggressively policing those distinctions (Choudry and Hennaway 2012).

This understanding of precarity as a multi-dimensional concept which emphasizes, on the one hand, its general and differentiated class nature, and on the other, the ways in which insecurity and poverty are produced politically by states across a range of policy areas, beyond labor relations and employment policy, has a number of promising uses for labor strategy. First, it emphasizes the importance of the class as a whole, including unionized full-time workers with citizenship status, of organizing and empowering the most vulnerable sections of the working class. This understanding grounds the concept of solidarity, still the watchword of the labor movement. Second, understanding the ways in which precarity is driven not only by labor market dynamics but the privatization and marketization of social life creates

avenues for the kinds of alliances that will be required to organize precarious workers and confront precarity at the political level. Third, confronting precarity would reacquaint the labor movement with its historic social mission of resisting and responding to the insecurities and indignities created when life becomes dependent on the vagaries of the market.

### 1.3 Precarity and the Labor Movement

The double-sided impasse confronting organized labor noted above—that many people joining the workforce today cannot fathom how forming a labor union at their place of employment could redress workplace injustice and raise wages, and the defensive nature of labor struggles and strategies—can be rooted in the ways that union organization and strategies have been shaped in profound ways by the capitalist state and by the Fordist employment practices of large vertically integrated corporations. It is hardly an exaggeration to say that, at least in North America, we have allowed capital and the state to determine who may or may not belong to a labor union, what issues unions are permitted to struggle over, and how they may do so.<sup>2</sup> No historical current in the formation of the labor movement would have imagined granting management and the state so much influence over their own creations. And yet, labor leadership did agree to these constraints in exchange for state legitimization and institutional stability, trusting in its strategic capacity to generalize union representation across the waged workforce of the day and transform the class structure of North American capitalism.

These institutional compromises were inherently precarious, and they no longer hold. With the decline of organized workplace struggles in North America, capital and the state are no longer interested in recognizing the legitimacy or public rationale of collective bargaining, while unions remain highly bureaucratized and firm-centered organizations—indeed, collective bargaining has largely collapsed to the level of the worksite. Labor organizing strategies that play by the rules of existing labor law fail to organize workers outside of the standard employment relation if only because the law assumes full-time permanent employment as the norm. Labor laws could be reformed to extend effective enforcement of associational rights to nonstandard employment, and there are legal models that could accomplish this.<sup>3</sup> However, even if associational rights could be extended to places

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<sup>2</sup>This cannot be a particularly radical observation if the current president of the AFL-CIO has said much the same thing: ‘To be blunt, our basic system of workplace representation is failing—failing miserably—to meet the needs of America’s workers by every critical measure...It is time to stop letting the law define who our members should be’ (Rich Trumka, cited in Bologna 2013).

<sup>3</sup>Sectoral extension agreements through which contract terms in union workplaces are extended by government decree across a firm type in a given locality, or sectoral bargaining models where labor councils bargain with employers associations or representative firms and the terms are imposed across the sector. These models have been used in different jurisdictions in Canada are still on the

of nonstandard employment, it is not evident that unionization would establish the bargaining power that is required to improve the wages and working conditions of precariously employed workers.

Bargaining power must be rooted somehow in the capitalist organization of production and the class formations that this gives rise to. The power that all workers have over their employers by virtue of their ability to collectively withdraw consent in the workplace is highly uneven. This power varies according to certain conditions that are outside of the control of workers and labor organizers. These include the detailed division of labor, the tightness of local labor markets, and the susceptibility of large employers to holdups in strategic or profitable divisions or suppliers. Fordist-era industrial unions were built as firm-level class coalitions between skilled and unskilled workers in monopoly sectors of the economy, whether it was steel production in Pittsburgh, the Detroit auto industry, or the hotel industry in New York and other large metropolitan centers. These unions were able to establish union wages and firm-level private welfare states by effectively bargaining up labor's share of monopoly profits. As Harvey has observed, labor organization thus mirrored the then dominant form of capitalism—‘a Fordist system generated a Fordist kind of opposition’ (Harvey 2015). Unions were built both on solidarities that emerged from working-class communities that capitalist development itself gave rise to, and a strategic vision that identified contradictions or weak links in the existing capitalist organization of the labor process and in relations between capitals, without, however, challenging capitalist production.

Financialization and the redrawing of the boundaries of the firm to exclude direct producers performing routine operations undermine the sources of workplace power that sustained Fordist unions, including holdups and workplace class coalitions between skilled and de-skilled workers. Firm-centered collective bargaining cannot perform its classic function of shifting the distribution between wages and profits if the largest profits are realized by firms that are no longer concerned with establishing control and consent from waged workers, having effectively outsourced these functions to small firms with little pricing power and slim profit margins (Cella 2012). Or when employment growth pools in highly competitive and labor-intensive small firms which make profits by keeping wages down, evading labor regulations and aggressively opposing unionization, as is the case at the bottom of the service sector, which now represents approximately 80% of US and Canadian GDP and a similar percentage of employment.

In search of a new basis for workers bargaining power in the current capitalism, a number of writers have taken inspiration from older forms of trade union organization—notably, occupational unionism with its portable benefits, de-emphasis of collective bargaining, and constructions of skill—which, it is argued, better correspond to the workplace experiences and demands of some categories of atypical workers (Cobble 1991; Haiven 2006). Another strand of the literature begins with

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books in Quebec. Sectoral bargaining is still prevalent in the construction sector in Canada, where it was imposed by government to protect weak firms against strong unions.

the resources of the existing firm-centered unions and seeks to understand the conditions that lead them to incorporate precarious workers in organizing campaigns or in existing bargaining units (Bartkiw 2012; Benassi and Dorigatti 2015; Heery 2009).

The first approach grapples more directly with the decline of firm-centered employment, while it focuses on market forms of bargaining power that cannot, by definition, overcome divisions between work status and other forms of labor market segmentation that fragment working classes and weaken labor as a whole. The second approach puts the focus on the needs of the existing unions and the processes by which full-time workers develop an understanding of their interests vis-à-vis precarious workers and seek to regulate labor markets accordingly. Unions in Canada and the USA have begun to use collective bargaining strategies, institutional resources, and political lobbying for raised employment standards to fold precarious employment practices back into a pattern that had allowed for firm-centered collective bargaining in the Fordist mold (Noiseux 2008; Vosko and Thomas 2014). The ‘good jobs’ strategies that organized labor has favored in the large financialized cities of North America are of a piece with this approach.

## 1.4 Labor’s Regulatory Strategies in Urban Space

It is more common in North American labor movements to talk of good jobs versus bad jobs, rather than precarity or precarious work. By a ‘good job’ is understood a job that pays a wage sufficient to live decently in place, accompanied with the security that allows you to plan a future, and the opportunity to express voice and some measure of control at work. A ‘good green job’ must do all of this without contributing to global ecological collapse. Across large North American cities, unions have wagered that they can produce good jobs, and even good green jobs, by shaping firm investment and employment practices through the urban regulatory framework in which firms must operate. These strategies can be understood as attempts to make labor markets and employment practices conform to a model that makes work more conducive to union organization and bargaining, and can be opposed to a more radical project of rethinking labor unionism in a context defined by the rise of precarious work. The use of ‘good job’ versus ‘bad job’ reflects this orientation. Unions claim to represent the solution to precarity insofar as they are producers of good jobs.

Our research identified different types of regulatory strategy: *blocking strategies*, which seek to protect or generate union employment by prohibiting or strongly regulating firms that drive precarious employment; *steering strategies*, which seek to use urban regulation to shift firm-level employment practices across economic sectors toward higher employment standards; and *leverage strategies*, which mobilize union political resources to raise government-mandated employment standards and wages across sectors and local labor markets. The types differ by the scope of regulation, from firm-centered to sectorial and local labor market. They

often begin as defensive attempts to reproduce bargaining relationships with employers and levels of union employment. They are consistent both with craft or firm-centered trade unionism in a period of defeat and, more unevenly, with the dominant ‘growth-oriented’ policy frameworks in place across North American cities (MacDonald 2013). They are typically staff-led and depend for success on insider political relationships and cross-class alliances. The implications of these strategies for precarious workers vary depending on context and on the political choices that are made in the pursuit of union goals—in other words, on how far union actors are prepared to extend purely defensive strategies toward class-wide projects of organizing marginalized and precarious workers, reshaping labor markets, and addressing deficits in access to collective consumption.

*Blocking strategies* at their narrowest target particular firms that threaten union standards in local labor markets by competing with unionized firms in ways that drive precarious work. The ‘site fights’ that the United Food and Commercial Workers (UFCW) has waged against Walmart in major metropolitan areas are well known (Sites 2007). Labor mobilizes public opinion and community opposition to the city granting a permit to a developer which intends on landing the low-wage retailer as an anchor tenant. Opposition is raised on labor standards grounds in public mobilization, but as these are not eligible criteria in urban planning decisions—cities are constitutionally preempted from regulating labor relations—effective opposition hinges on quality of life issues and impact on local businesses. Labor must form broad neighborhood coalitions to win these fights, which, depending on the neighborhood and who is included in the coalitions can vary considerably in their class nature. For example, a campaign waged by film unions in a rapidly gentrifying neighborhood in Toronto found effective opposition to Walmart among the local gentry, concerned to defend a gentrifying commercial streetscape, as well as among film studio owners, concerned with the contagion effects of big-box retail development on area ground rent. This was the primary concern of local film industry workers, who alerted their union to the likelihood that the development would displace film industry jobs. Couched in ‘creative city’ discourse that is used to rationalize the displacement of blue-collar industry from the city, the labor-led campaign met with a favorable reception within the local state and was ultimately successful in board hearings. But this success was bought at the expense of positioning film labor against low-wage and blue-collar workers in the neighborhood, a contradiction that Walmart and a section of the development industry drove home in public hearings (Wieditz 2017). A high-wage union sector was defended, and a low-wage employer was blocked in a way that affirmed a neighborhood transformation that is increasing insecurity for low-wage workers.

Blocking strategies that rely on cross-class coalitions to affect policy change are less likely to extend benefits of regulation to precariously workers beyond the intended goal of defending the union sector. A 2005 New York City council bill sponsored by retail workers unions to discourage the entry of a Walmart by mandating companies contribute to their employees’ health care well illustrates this dynamic. The Health Care Security Act (HCSA) is built on similar campaigns to use the powers of city governments to raise the living standards of low-wage urban

service workers, both by increasing the minimum wage for all businesses operating in the city and by establishing a higher than prevailing wage for all businesses benefiting from city contracts. The original bill would have forced companies with over 35 employees in five industries (including food retail, construction, industrial laundries, building services, and hotels) to pay either three dollars an hour per employee into a health insurance plan or an equivalent in fines to the city. The bill would have protected the healthcare benefits of 152,000 workers and, since only 70% of employers in these industries already contribute to healthcare plans, would have extended coverage to approximately 45,000 workers in the city. While the bill passed with an overwhelming margin by city council in August 2005, in the process of negotiations the coverage was reduced to the retail food sector only, and the threshold was increased to firms with over 50 workers or with floor space in excess of 10,000 ft<sup>2</sup>. The first retrenchment reflected the reality that only the highly unionized food retail sector lobbied hard for the legislation, while the other industries are either increasingly nonunion or, as in the case of hotels and building services, do not face low-standard competitors. The second retrenchment, to increase the employment level threshold, registered the effective lobbying of ‘small’ groceries. The result is that a political strategy which sought to use the conjunctural interests of small business to leverage a broader campaign in the interests of the city’s low-wage workers collapsed back into a particularistic, defensive anti-Walmart maneuver that would have extended coverage to, at best, 9000 workers (MacDonald 2010). The bill was ultimately vetoed by then Mayor Michael Bloomberg.

Blocking strategies can also be used against ‘sharing economy’ firms that threaten union employment and standards in urban services by drawing consumer demand toward alternative formats. The hotel workers union in Toronto and New York has had some success in framing Airbnb, for instance, as a driver of precarious work in an attempt to slow down the growth of the platform ([www.fairbnb.ca](http://www.fairbnb.ca)). Sophisticated public campaigns based on research in local rental markets and media outreach emphasize how Airbnb has allowed homeowners and small real estate investors to increase their rental incomes by withdrawing properties from the local market and charging several times local rents to tourists and short-term visitors. The class politics here are equally complex, leading to union alliances with low-income residents and tenants associations but also middle-class homeowners and condo boards, and the end game of such campaigns—tighter self-regulation by sharing economy firms in ways that will avoid direct competition with a highly unionized hospitality sectors in these cities—remains a narrow and defensive one concerned with shoring up consumer demand in a highly unionized sector.

*Steering strategies* build on blocking strategies to incentivize firms that are likely to create ‘good jobs’ or enter into agreements to meet union standards and recognize unions for the purposes of collective bargaining. In New York, the hotel workers have attempted to move from blocking the growth of hotels that operate on a low-wage nonunion model toward steering hotel operators to recognize the union and pay uniformly high wages and benefits. The union seeks to accomplish this by inserting ‘special permit’ language into the city’s zoning text. In singling out hotel

development for an additional round of public review, beyond what is normally required of commercial developers, special permits would create a political structure for union leverage over future business investment and labor relations practices. It would establish a steering mechanism which, the union hopes, will see the unionized hospitality industry through constant urban restructuring and new investment in the sector. This campaign aligns the union with certain factions of local capital against others, including the established unionized hotel operators, who do not wish to compete on price with low-cost competitors and tacitly support the union's political action. When unionized hotel workers ask why they should oppose hotel development that would appear to offer good jobs to friends, family, and neighbors, they are told that we must make a choice between more jobs of worse quality versus better jobs but fewer (MacDonald 2017a, b).

To be effective, steering strategies must combine restrictions on firms or sectors with low wage and precarious employment models with incentives for firms that meet union standards. Beyond blocking unwanted firms, service sector unions have learned how to use 'site fights,' for instance, to secure complex restrictions on the business models and labor relations practices of firms that will eventually occupy the space developers wish to build (Tufts 2007). Here, the incentive is capitalized ground rent. The range of concessions available to labor and community groups is shaped by how much land value is likely to be unlocked by the rezoning process. The amount of value released is determined by the rent gap, the difference between current ground rent and the potential ground rent under a changed use or zoning (Smith 1996). The wider the rent gap, the greater the leverage labor-community coalitions bring to bear against developers, and the higher value of concessions they are likely to extract. The union's leverage is higher if its members are residentially located along the advancing edge of the development frontier, and the rent gap is widest when neighborhoods that have undergone long periods of disinvestment are transformed into luxury-oriented spaces. While the value of concessions extracted from developers can vary according to the political leverage of the coalition, and the distribution of this value can be shifted among coalition partners in the form of subsidized housing or higher wages—concessions that are framed as addressing precarious work—any strategy that seeks to maximize developer concessions cannot at the same time seek to prevent gentrification. There are choices and trade-offs involved in these strategies, and the result in some cases may be a form of 'negotiated gentrification' or displacement of less profitable industrial employment (MacDonald 2011).

Attempts to steer capital into 'green' sectors that are unionized and pay decent wages all the while remediating ecological damage have required stronger forms of regulation and more significant public incentives. The urban political alliances required to make these work can be very complex and tax labor's political leverage. Unions can take on many, if not all, of the responsibility for bringing the different moments of the production process together in a given space. For example, in the New York area, the Laborers International Union (LIUNA) has been involved in campaigns to shore up its position in the labor market by creating good jobs and paths to entry into those jobs for low-income people who have traditionally been

excluded from the building trades, by inducing the growth of residential retrofitting work (Figueroa 2017). The union applied an organizing model in partnering with community-based organizations (CBOs) which would function as program service providers for the direct consumers. The key elements of the strategy included the formation of new locals and establishment of special rate agreements, partnerships with worker centers for outreach to the target workforce, partnerships with program service providers, which hire from their network of contractors and do the outreach to homeowners, and workforce development in partnership with CBOs to ensure entry of community residents into the unionized workforce.

Such campaigns hinge on creating the conditions for profit making in a ‘green’ industry, and union-scale employment, while working with social justice movements and mobilizing marginalized and low-income residents to secure the necessary political support. The difficulties that confront these strategies multiply at the local level, with scalar tensions appearing between local and national union bodies, organizational culture differences between unions, environmental and community-based organizations, conflicting financial incentives facing property owners and renters, and differences in policy preferences between financial capital, industrial capital, and commercial real estate. All of this increases the coordination burden on unions. This is only aggravated by the overly complicated nature of private-public partnerships favored in market-led approaches to the climate crisis. The resulting employment growth has been disappointing, even at \$20/h. In New York, a familiar tension between affordability for working-class consumers and union concerns with labor standards emerged as the federal stimulus funds used to finance retrofitting work was scaled back. Retrofitting the commercial real estate sector would have overcome this dilemma and resulted in a much greater generation of employment, but for the opposition of building owners to a provision mandating that problems identified in energy audits be addressed.

*Leverage strategies* hold out greater promise of carrying defensive union goals over into broader policy interventions to the benefit to unorganized, marginalized, and low-wage workers. Left political leadership can make a difference in moving from narrow blocking strategies toward more effective political interventions that raise wages and collective consumption norms across the labor market. The need to enlist unorganized and precariously employed workers in union-led campaigns encourages a broader class approach. Campaigns for good jobs can fall flat in communities where the demand is for any job now, including retail employment that unions frame as ‘bad jobs’ (Nugent 2017). Labor campaigns have dealt with this dilemma by folding campaigns for good jobs into broader campaigns for raising employment standards or social program spending. For example, a campaign waged by industrial unions to block the entry of a Walmart in a deindustrializing low-income neighborhood in Toronto’s inner suburbs in hopes of preserving lands for high-wage green manufacturing evolved by linking a particularist and site-specific demand for good jobs to a broader social movement campaign to raise the provincial minimum wage, and a subsequent campaign for increased public spending on education, housing, child care, and social assistance. This local campaign struggle fed into a broader provincial campaign that saw the minimum wage

raised from \$8.75 to \$10.25/h while securing a significant public ‘green’ investment to the industrial site in the form of subway maintenance facility.

Some of the largest organizing wins among precarious workers in the USA have followed a strategy of using political leverage to secure collective bargaining rights by having government recognize an employment relationship with home-based or own account providers of caring work. The growth of this sector is the direct consequence of neoliberal policies, including workfare-based labor market activation policies which have pushed poor women into the paid workforce, with means-tested financial supports that low-wage workers require to purchase child care in the market (Black 2012). Union campaigns to win representation rights among this poorly paid, largely female and racialized workforce have relied on public policy work emphasizing the socially necessary nature of the work performed—often couched in progressive competitiveness arguments relating the importance of child care to female labor market participation, ‘human capital’ development, and workplace productivity—while the executive order recognizing the employment relation is secured in a political exchange between unions and Democratic Party office holders (Schaller et al. 2017). These strategies have succeeded in increasing wages and state supports for a highly precarious sector, but at the risk of further entrenching a market-based approach to child care which has poorly served both the providers and the recipients of care work. Child care unions in Canadian cities for this reason do not organize domestic child care workers and focus their efforts instead on defending the highly unionized but residual public sector model which they hope will form the building blocs of a universal public program (Black 2017).

The SEIU-backed Fight for Fifteen campaign to raise minimum wages and organize low-wage retail workers represents perhaps one of the most promising attempts to use union resources to leverage local policy changes to the benefit of unorganized and precariously employed workers. According to Economic Policy Institute figures, 17 states have increased their minimum wages since 2014 and 29 localities across the USA have increased their minimum wages above state minimums (EPI 2016). Raising wage floors in major cities to 15\$/h would bolster the bargaining power of SEIU bargaining units where the wage is not far from this floor. Though limited in their capacity to build workers power due to their top-down and media-focused tactics (Gupta 2013), these campaigns have also mobilized large numbers of precarious workers across a broad range of issues, including racist policing, transit fare increases, and housing rights. They have also revived militant forms of organizing which had been on the verge of extinction, including short unfair labor practice strikes. The end game here is presumably a collective bargaining model based on master agreements negotiated at the corporate level and extended to franchises along either a firm or a sectorial basis. While this holds out the promise of thin workplace representation, it does begin to grapple with the franchise employment model that will have to be challenged if workplace organization is to become a relevant institution for low-wage service sector workers.

## 1.5 From Regulatory Strategies to Rethinking Labor Unionism

With rare exceptions, the strategies discussed above begin with the goal of defending an employment model that meets the institutional needs of unions as labor market intermediaries rather than with a strategy to combat the most precarious forms of work. This is an important distinction. If the goal is to defend an employment model, which, even with greater levels of public subsidy, will only represent a fraction of total employment being generated in urban labor markets, the inevitable result is to sharpen labor market segmentation between ‘good’ and ‘bad’ jobs. This is before we consider how the incentives and political alliances that are chosen for their efficacy in terms of shaping employment growth affect unorganized workers as renters or public service recipients called on to subsidize the creation of good jobs in the private sector. In cities dominated by the politics of property and profits, the most politically expedient coalitions and policy fixes are most likely to involve cobbling together ad hoc cross-class coalitions, and not likely to unite more or less precariously employed workers along class lines. The closer unions come to addressing precarity as such, the more likely labor is to challenge the current capitalism, and the cross-class, incentives-based approach that labor has favored dissolves at this point.

Decent employment is not the wrong goal, and there is no reason why the interests of unionized and precariously employed nonunion workers have to be opposed in furtherance of it. But firm-level and market-based approaches fail to address the drivers of precarious work: the return of unemployment as a normal feature of labor markets in the core, the commodification and privatization of social reproductive work, and a range of coercive and discriminatory government policies that make workers vulnerable in the labor market. The ability of firms to restructure business models, employment practices, and the labor process to profit from the rise of precarious work depends on what are essentially political decisions at various levels of the state. Using union organization to challenge precarious employment in the political arena is promising but a local and firm-centered approach misses the mark.

If unions are going to challenge precarious work at the political level, they will have to broaden the way in which they seek to represent and organize workers. So, it is positive that unions have come to take a much broader view of their representative function and are mobilizing workers along several dimensions of the lived experience of class, including race and gender, housing issues, and public services, in order to gain purchase in urban policy making. Urban space is the staging ground for new social movements which, whether struggling against gentrification, in defense of public services, for living wages or against racist policing, have a working-class character even if they are not rooted in the workplace. These struggles express themselves in the public sphere and make claims on the local state, and they are typically initiated and led by young people, racialized and immigrant workers who find themselves excluded from stable, decently paid

employment in the firms, industries, and occupations most likely to be associated with union representation. There is a potential here for left-led labor strategies to mobilize what is left of union resources to build on urban-based class solidarities in spaces that are highly valorized by capital and thus vulnerable to working-class demands through collective actions such as urban strikes and occupations that disrupt value flows (Harvey 2011).

The politics of linking workplace demands and identities to urban working-class life in policy making and planning disputes is extraordinarily complex, and there is nothing automatically progressive in the shift. Union interventions in urban space can either organize or disorganize, unite or fragment diverse sections of the working class. In a number of cases, we have seen unions becoming entangled in contradictions that are directly related to the fact that their strategies are designed to work within neoliberal capitalism and thus unable to benefit or organize a working class beyond the union membership. If labor began instead with the goal of organizing precarious workers and raising wages and employment levels at the bottom of the labor market, urban labor strategies would look very different. They would begin with the demands of the most precariously employed workers and develop within their memberships an understanding of precarity as a political and a class phenomenon.

The more ambitious labor strategies recognize that the prevailing model of firm-centered collective bargaining is a dead letter when lead firms which derive most of the profits of production have separated themselves institutionally from the firms that actually oversee the labor process and would, under existing labor law, be considered the natural bargaining unit. Any attempt to fit existing labor unions and their practices—collective bargaining and contract enforcement at the workplace level—will have to find some way of bridging these more or less fictitious divisions between different capitals. The solution from labor has been to try to put the genie back in the bottle: Re-create the standard employment relation by shaping firm behavior around a ‘good job’ agenda while slowly reshaping labor laws to recognize de facto employment relations, or extend collective agreements across industries in which small firms compete in highly competitive local markets.

It is worth recalling that the limits to collective bargaining extending much beyond large vertically integrated firms were well understood prior to the establishment of Fordist regulation of labor. Even such committed defenders of pluralist industrial relations as were Beatrice and Sidney Webb observed that collective bargaining could not serve the interests of ‘the bottom of the industrial army... [which] suffers not from great capitalists but from small masters’ (1902). It was for this reason that the Webbs called for a more political form of trade unionism that made demands on the state to legislate decent wages and working conditions from the bottom of the labor market on up the skill ladder, ultimately to supplant firm-level collective bargaining. It was to address the limitations of firm-centered collective bargaining that the Webbs put forward the principle of the living wage.

Rather than using legal and public relations to force employers back into firm-level collective bargaining—a labor relations system that represented a considerable narrowing of labor struggle and strategic repertoires—the labor movement

should consider the advantages of moving further in the direction of separating the struggle over wages and benefits, on the one hand, from workplace organization and control over the work process, on the other. The demand for a living wage—a wage that is sufficient to cover the private expenses of the working-class family in a given area—is both a broad class demand, with a proven capacity to mobilize large numbers of workers, and one with significant public legitimacy, even in societies in which public discourse is dominated by neoliberal ideology. It has the merit of strongly resonating among low-wage workers, while it bolsters the bargaining leverage of existing locals in low-wage service sector work.

In the 1930s, the left argued that only industrial organization—organizing workers ‘wall to wall’ regardless of their skill, gender, or race—could overcome the workplace segmentations that threatened unionism itself in the context of Fordist production methods. The equivalent innovation today would be a form of urban unionism that defines the bargaining unit in terms of the area labor market and bargains wage gains in an open political process combining the mobilization of low-income workers and placing demands on lead firms and the state. Importantly, an urban form of labor unionism would be less dependent on individual firms to maintain employment levels at union rates—a dependence that weakens union bargaining power while it positions unions as defenders of high wage or otherwise privileged workers. When unions were stronger, they could have an important effect on area wages by bargaining union wage scales. An urban form of trade unionism recognizes that this is no longer possible and reverses the dynamic. By bargaining up area wages, either through legislation or through industry-wide wage agreements, unions raise the floor for what remains of firm-level collective bargaining. Union power at the workplace could refocus on work control and sustaining centers of organization for broader campaigns.

The importance of focusing on area wages lies in forcing through a series of firm and broader economic restructuring that would push urban economies away from a dependence on precarious work. For instance, raising wages in metropolitan labor markets to the level at which firms are prepared to pay labor agencies for the supply of contingent workers would have the added benefit of forcing these firms out of business and pushing their clients away from their reliance on a precarious work model. Agency work and subcontractors have expanded beyond any technical rationale in production because there are profits to be made by exploiting the difference between the wage that workers are forced to accept and the price lead firms are willing to pay for flexible labor services. Labor should demand area wages that are at least high enough to close that gap.

Raising area wages in the private sector would also force a shift in urban economies from their present reliance on the growth of low-wage services to soak up employment toward public sector-led growth strategies that shift employment from private services where it is undervalued and precarious back to the public sector. Such a program would have the merit of promoting good employment while also redressing precarious access to the necessities of life. Expanding the range of public services, including caring work, transportation, public housing, and continuing education would reduce the dependence of workers on the market for these

services and therefore reduce their dependence in labor markets. Again, this is a program that bridges several dimensions of precarity while holding out the considerable promise of bolstering the public legitimacy and political power of public sector unions. Current labor laws prevent public sector unions from bargaining over investment levels the way that private sector unions have come to. But there are no laws against public sector unions mobilizing precarious workers to demand increased public services and a jobs program.

The fact that none of this is possible without challenging the ideologies, practices, and leaderships of the existing unions should not prevent labor activists from thinking about what kind of labor unionism is required to effectively confront the transformations in capitalism that have made work worse and life more precarious for the majority in our society. Neither should researchers and writers in labor studies shy away from a recognition that labor unionism was a political project before it became integrated into the firm and the state. The fact that the current models are not working opens up the possibility of thinking again about labor unionism as a radical political project.

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## Chapter 2

# Organizing Immigrant Workers Through ‘Communities of Coping’: An Analysis of Migrant Domestic Workers’ Journey from an Individual Labour of Love to a Collective Labour with Rights



Joyce Jiang

**Abstract** By studying the collective organization of migrant domestic workers (MDWs) in London, the research points to a possibility of nurturing immigrant workers’ labour consciousness and further organizing them based on worker identity in dispersed and informal sectors. The study shows that ‘communities of coping’ can play a significant role in developing collective agency among MDWs by creating a safe space where they can socialize, developing mutual trust and share work grievances, and providing leaders from immigrant worker community who attempt to develop a group-centred leadership that embraces the participation of the many. It argues that the further development of collective mobilizations in informal and individualized sectors may require creative leaps of sociological imagination in locating and nurturing communities of coping, wherever they may be occurring—in ethnic social clubs, women’s groups, churches or at school gates. The research also calls for a need to shift the assessment of outcomes of community organizing from a focus on organizational development and policy changes to a focus on the empowerment of migrant workers at the grassroots level.

**Keywords** Migrant domestic workers • Collective mobilisation  
Communities of coping • Community organising • Empowerment

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## 2.1 Introduction

Contemporary labour migration into the UK is underpinned by two structural dynamics: uneven development within the capitalist system and the intensification of competition driving towards more precarious forms of employment. Immigrant workers in the UK are largely concentrated in low-skilled sectors such as domestic work, cleaning, care work, refuse collecting and machine operatives which involve high levels of exploitation and low rates of unionization (Coleman 2010). The employment status of many immigrants is often mediated through temporary agencies, which makes immigrant workers more vulnerable to the exploitations at work (ACAS 2002). Domestic work is an extreme example of informal and individualized industrial sectors in which migrant workers are employed. Migrant domestic workers (MDWs) are employed to get houses cleaned, home-cooked meal served and children taken care of. Their work presents a solution to ‘care deficit’ (Bettio et al. 2006) faced by the professionals in highly industrialized states who spend long hours in their formal workplaces. It is estimated that 57% of workers in domestic sectors in London are foreign born (Kilkey and Perrons 2010). Working in private households, MDWs are often subject to low pay, abusive working conditions, debilitating racism and potential risks of sexual assaults (Parrenas 2001).

MDWs constitute a working group in considerable need of collective representation. Scholars have identified the individualized, dispersed employment relations facing MDWs as creating barriers against domestic workers coming together. The temporary and circular character of immigrant workers further diminishes the possibilities of trade union organization. As Anderson (2001) noted, paid domestic workers have received little attention from trade unionists. Academics and unionists have generated extensive debates on whether immigrant workers in individualized and informal sectors can still be collectively organized and how trade unions can adjust their organizing strategies to the job structures and social demands of immigrant workers. At one side of the debate is the view that immigrant workers are predominantly the victims of global economy restructuring with little opportunity for agency in organizing against exploitative conditions (Wallerstein 2004). Accompanying this position is the argument that increasing fragmentation and individualization of migrant jobs would lead to the dissolving of labour consciousness and collective actions (Castells 1996). On the other side of the debate is a more optimistic position which stresses that immigrant workers are subjects who are capable of fighting against their disadvantaged socio-economic positions. Here, the role of organized labour and other progressive non-union forms of organizations, such as community-based organizations and faith-based organizations, is seen as potentially significant in transforming migrant workers into active social actors who can successfully take actions to reshape their working and social environments (Fine 2006; Pero 2008; Jamoul and Wills 2008).

The intent of the study is to consider immigrant workers as active social actors and engage with the ongoing debate on community unionism by analysing collective mobilization of MDWs facilitated by a MDW self-help group, Justice for

Domestic Workers (J4DW) in London. The study departs from the existing community unionism literature with its predominant focus on the coalition building of trade unions and non-labour organizations, and its privileging of the organizational relationship. It takes a bottom-up perspective to explore the social process of the formation of collective agency among MDWs. The paper starts with a review of the debates on community organizing of immigrant workers. Arguing that ‘communities of coping’ may be a potentially important and largely unexplored element of community in community organizing, the paper then examines the literature on ‘communities of coping’. By treating MDWs as the central agency in collective mobilization, the research findings are structured to address the following questions: (1) What barriers do MDWs face to the formation of labour solidarity? (2) What, if any, forms of resistance are possible in such environment? What approaches have MDWs adopted to overcome those barriers and develop unity? (3) What do MDWs get out of community organizing?

By studying the collective organization of MDWs, the research points to a possibility of nurturing immigrant workers’ labour consciousness and further organizing them based on worker identity in dispersed and informal sectors. The study shows that ‘communities of coping’ can play a significant role in developing collective agency among immigrant workers by creating a safe space where immigrant workers can socialize, developing mutual trust and share work grievances, and providing leaders from immigrant worker community who attempt to develop a group-centred leadership that embraces the participation of the many. It argues that the further development of collective mobilizations in informal and individualized sectors may require creative leaps of sociological imagination in locating and nurturing communities of coping, wherever they may be occurring—in ethnic social clubs, women’s groups, churches or at school gates. The research also calls for a need to shift the assessment of outcomes of community organizing from a focus on organizational development and policy changes to a focus on the empowerment of migrant workers on the grassroots level. Assessing the grassroots empowerment of immigrant workers is important for two reasons. First, there might be a contradiction between organizational developments within trade unions or civil society organizations and the empowerment of immigrant workers at ground level (MacKenzie et al. 2012). Second, relatively new and small community organizations seldom begin by taking high-profile political actions. Their locally embedded and culturally nurtured organizing activities cannot be assessed in terms of political outcomes or organizational developments.

## 2.2 Community Organizing of Immigrant Workers

Immigrant workers in the UK are largely concentrated in geographically dispersed workplaces which are non-unionized (Coleman 2010). Their job structures pose great challenges to traditional workplace-centred union organizing strategies. On the other hand, facing membership crisis and the erosion of influence, trade unions

have come to recognize that the future of trade unionism depends on a more inclusive strategy that accommodates the interests of previously marginalized categories of worker, such as immigrant workers, in the UK (Heery and Adler 2004; Fitzgerald and Hardy 2009). Some writers (McBride and Greenwood 2009) argue that a community organizing approach which emphasizes the coalition building between trade unions and community organizations based on broad social justice can be effective in helping unions reach immigrant workers. Much attention has been drawn to the negotiation of representations between trade unions, churches and immigrant community organizations, and how industrial relations can be managed within these spaces (Martinez Lucio and Perrett 2009).

Nevertheless, there is a tendency in these arguments to overemphasize the role of institutional entities such as trade unions, ethnic community organizations and NGOs in shaping collective agency. Institutional structures as such are perceived as central to the formation of migrant workers' activism. Much discussion of community unionism is situated in the scholarship on union revival (Frege and Kelly 2004). Trade unions, instead of migrant workers, are treated as a point of departure in the discussion on community organizing of migrant workers. As Martinez Lucio and Connolly (2010: 20) comment:

It suggests that this positive turn [the interest in the study of migration, race and ethnicity within Industrial Relations] in the agenda of Industrial Relations has been, in the main, driven by a concern over a condition of organized labour, with the issues of immigration being the basis for union renewal.

Such an institution-centric approach has been opened to two types of criticism. First, the centrality of trade unions and community organizations in the community organizing of migrant workers cannot be taken for granted. Some recent description of organizing of immigrant workers at the grassroots level suggests that these workers may not have close links to trade unions (Martinez Lucio and Perrett 2009). Ness (2005) examination of the collective organizing of immigrant green-grocery workers, delivery workers and black car drivers in New York argued that it was migrant workers themselves instead of unions that originated organizing drives. In his study on delivery workers and stage technicians in Argentina, Atzeni (2016: 194) argues that 'the institutional, trade unions-centred lens that dominates the English-speaking literature in industrial relations and that has dominated labour history, is less equipped to deal with precarious workers' collective organizing... any analysis of workers' attempt at collective organizing, and above all that of precarious workers, need to start from the existence of a more general power of self-organization and self-activity on the part of workers'. Cappiali's (2016) research on the collective organization of undocumented immigrants in Northern Italy also shows that immigrants increasingly distrusted institutional non-state actors, such as traditional trade unions, but instead, created partnership with non-institutional radical left organizations in the Struggle of the Crane. In the field of immigration, research suggests that although many public organizations offer diverse types of social resources to immigrant workers, the use of these services and programmes was extremely low among this population, particularly if the severity

of their needs is considered (Leslie 1992). On the contrary, the primary source of help and support is their informal social network (*ibid*). By interpreting community as formal community organizations, we lose the sight of immigrant workers’ informal community and social networks and their impact on the ability to create collective actions. The research attempts to address this missing theme by exploring the role of ‘communities of coping’ (Korczynski 2016), informal and oral-based social networks among workers, in facilitating collective mobilization.

Furthermore, the institution-centric approach might lead to a narrow view that evaluates the outcomes of community organizing from an organizational perspective, such as the growth of union membership and recognition (Heyes 2009; Wills 2001). Without addressing the meaning of empowerment perceived by immigrant workers, a community organizing strategy might risk becoming a ‘problem-solving’ strategy for the union membership crisis instead of a promising approach to help migrant worker mobilize. Moreover, this dilemma is complicated by the dependence of some NGOs and community organizations on funding agencies which have independent agendas (McKeezie et al. 2012). Yu (2012) noted that there is a danger that the collaborations between formal organizations and identity groups in social movements might result in identity groups being overpowered by formal organizations. Political outcomes also make up the majority of the research and often refer to changing or implementing public policies or influencing political agendas (Fine 2005). There are another two arenas—the social and cultural arenas of community organizing outcomes which have often neglected by the existing studies. The major problem with focusing exclusively on political outcomes is that the psychological empowerment, the development of social capital, the formation of collective identity and other dimensions of social life have been excluded from theorizing organizing outcomes. Pero has pointed out, ‘it would be important to gain insights into what migrants seem to get out of mobilizing, especially when concrete gains and changes appear out of reach from the outset’ (2010: 14). The argument is that more attention should be given to grassroots empowerment—‘building a positive self-image and self-confidence; developing the ability to think critically; building group cohesion; encouraging group action in order to bring about change in the society’ (Banerjee 1995: 3) among immigrant workers especially when the mobilization group is still young. The assessment can usefully be broadened to include improvements of migrant workers’ working conditions via public policy (Fine 2005), and the degree to which workers are organized into stronger networks which are capable of challenging the employers and contesting state power. This study’s bottom-up focus upon collective mobilization among MDWs has been designed to avoid these two important limitations in the existing literature.

### 2.3 Industrial Context and ‘Community of Coping’

Increasing numbers of professionals in rich states are employing immigrant female workers from developing societies as domestic workers (Anderson 2000; Lutz 2007). MDWs in the study refer to migrant workers who come to the UK with their employers from abroad under a domestic worker visa. These employers include business people and executives, diplomats, actors and actress, solicitors, doctors and British residents returning from abroad with their domestic staff. MDWs assume a wide range of ‘gendered’ family responsibilities including cooking, cleaning, taking care of children, the elderly, the disabled or even domestic animals—tasks that may not be well defined in their labour contract. Domestic work is an extreme example of an individualized employment relationship, and it differs from conventional work in a number of ways.

First, MDWs work in private households, and thus, there is no group setting in which MDWs can share work grievances with fellow workers in the workplace as workers do in traditional workplace scenarios. This clearly works against the likelihood of trade union organization. For live-in MDWs, home and work collapse into one space—one that is under the constant gaze of the employers. To gain privacy and autonomy, MDWs have to turn to the public sphere. However, almost all MDWs in the study face restrictions on their participation in public spaces. They were not allowed to go out without company and supervision from employers or could not go out because of extremely long working hours. There is often a lack of separate and autonomous space unreachable by the employers, in which MDWs could forge a sense of solidarity by sharing common experiences at work. Permitted only half day or one day off a week, MDWs often find it difficult to devote such precious time to activities and organizing events in the public space.

Moreover, because of its close association with women’s unpaid household labour, domestic work has also been devalued as a form of real work. Various studies of domestic work identified close personal relationship between employers and domestic workers as a key instrument in the exploitation of domestic workers, allowing employers to solicit unpaid services (Romero 2002; Hondagneu-Sotelo 2001). Anderson (2001) argues that the maternalistic dynamic of domestic work—being positioned as ‘part of the family’—often conceals the implicit hierarchy of power relations at work, which will in turn lead to confusion that enables subtle exploitation. Others have also argued that domestic work is often stigmatized as ‘servant’ and slave work with loyalty, obligation and patronage being the salient aspect of the employer/employee relationship, thus veiling the exploitative employment relationship in which MDWs are situated (Mehrotra 2010).

Furthermore, being enmeshed in integrated class relations, and gendered and racialized structures of oppression, MDWs may experience greater exploitation than do workers in any other occupation. MDWs may not only be subject to long working hours and non-compliance of National Minimum Wage, but can also suffer from verbal, physical and sexual abuse (Lalani 2011). It is reported to be common for employers to withhold MDWs’ passports in case they escape (Pearce 2003).

MDWs’ reliance on employers for legal status in the UK also further discourages them from standing up to claim rights as workers and employees.<sup>1</sup> The intersection of various oppressions often produces a prevailing feeling of powerlessness among domestic workers.

The specific nature of migrant domestic work apparently creates the ‘perfect’ conditions to undermine collective mobilization. Commentators suggest that the peculiarities of working in small and often paternalistic workplaces have created great barriers to collective mobilization due to all the aforementioned conditions (White 1980). If traditional workplace solidarity is unlikely to emerge among MDWs, the literature on community unionism asks us to consider whether there may be other forms of solidarity within the community from which labour solidarity may grow. The bases of ethnic and faith community would appear problematic as MDWs tend to come from a range of countries in which there are a range of dominant religions.

For these dispersed service workers, another form of informal community might also be pertinent, however, communities of coping. Communities of coping are defined as informal and oral-based supporting networks formed during the labour process or in ‘offstage’ areas (Korczynski 2016). They have been well documented in a range of service jobs with high emotional labour costs, such as medical social workers and nurses. (Benner and Wrubel 1989; Meyerson 1989). The implication of communities of coping for work culture has been debated in the existing studies. According to Noon and Blyton, communities of coping many ‘constitute a curious mixture of consent and resistance to work’ (1997: 140). At one level, the discussion has so far largely centred on the ‘accommodative’ dimension of communities of coping among workers to make work and life more bearable. For example, the work of Satyamurti (1981) and Handy (1990) indicates that communities of coping can help service workers deal with stressful situations and thus socialize the costs of emotional labour. Scholarship on domestic work has highlighted the informal coping mechanisms, such as gossiping and making fun of employers (Cohen 1991; Ozyegin 2001), developed among domestic workers as acts of resistance to release work stress. These studies resonate well with Scott’s (1995) writing on the hidden transcripts of workers’ resistance, which refer to small, local and culturally nurtured forms of resistance operating at the discursive level without directly offering concrete resistance to systems of exploitation. At another level, some studies suggest that communities of coping can make workers less open to management control and develop a form of ‘tacit collectivism’ which further nurtures collective mobilizations (Simms 2005; Taylor and Bain 1999).

While research suggests communities of coping are pertinent to resistive mobilization, there are two limitations in the existing studies. First, the existing literature mostly focuses on communities of coping within workplaces. This is not

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<sup>1</sup>Domestic workers were initially given permission to stay in the UK for a maximum of 12 months. They then needed a letter from their employer for visa extensions. However, the coalition government announced the change of domestic worker visa policy in February 2012, which only allowed MDWs to stay in the UK for 6 months without extension rights.

surprising given that classic theories (Marx 1971) and the early literature on workers' collective resistance (Kimeldorf 1999; Scott 1995) suggest that the grievances upon which resistance was forged occur at a point of production, and thus workplace is the natural starting point to understand how workers contest power at work. Kelly (1998) also indicates that a sense of injustice among workers, the fulcrum of collective actions, often occurs in the workplace when management violates the established rules or shared beliefs. However, due to the peculiar nature of domestic work, it is almost impossible for migrant domestic workers to establish social networks with fellow workers in the individualized workplaces and the highly exploitative employment relationship produces a condition of powerlessness in the labour process. Moreover, although research indicates that communities of coping might serve as the basis for resistive mobilization, the social process underpinning such a development is not the central focus of any study.

To understand the role of communities of coping in nurturing workers' activism, it is useful to have a look at the concept of free spaces or safe spaces in the study of collective actions. Free spaces or safe spaces refer to 'small-scale settings within a community or movement that are removed from the direct control of dominant groups, are voluntarily participated in, and generate the cultural challenge that precedes or accompanies political mobilization (Polletta 1999: 1)'. Although there is no consensus on what the term 'free spaces' mean exactly, small size, intimacy, the dense networks of daily life and the roots in community seem to be common themes (Polletta 1999).

Communities of coping, particularly those out of workplaces, can function as safe spaces that provide ideological room where workers share experiences, find group strength and start to question the work exploitations without the supervision of employers. In McAdam's term, communities of coping can provide a 'micromobilization context' which is defined as 'the small group setting in which the process of collective attribution are combined with rudimentary forms of organizations to produce mobilization for collective action' (1988: 134–135). There are three key active components that facilitate cognitive framing and collective mobilizations in the micromobilization context. First, in absence of interpersonal links, especially in the case of MDWs who are relatively more vulnerable and isolated, they are likely to feel powerless to change the exploitative employment relationship in the workplace. Communities of coping beyond workplaces could offer them safe space where they can share insights and improve self-confidence. Research has confirmed the positive relationship between the feeling of personal efficacy and collective action (Neal and Seeman 1964; Pinard 1971). Second, once individual workers are integrated into dense social networks, they become embedded in an interactive structure which might provide them a political consciousness towards a given issue. This function of communities of coping—identity creating and strengthening—is referred as the socialization function by Passy (2003: 22). Finally, the group setting may also provide leaders and activists who are crucial to promoting a sense of injustice among workers and organizing campaigns.

The research attempts to address this missing theme by analysing the social process through which labour activism is nurtured and developed within communities of coping among MDWs.

## 2.4 Research Methodology

A critical ethnographic approach is adopted with an explicit purpose of unearthing how MDWs respond to the considerable structures of oppression that face them. Ethnographic research has been traditionally married to the agenda which aims to lend voice to the research subjects (Thomas 1993). I sought to present the voices and experiences of MDWs whose stories are otherwise left untold and out of reach.

The MDW self-help ground studied was Justice for Domestic Workers (J4DW) in London. J4DW was established by eight MDWs in March 2009. It is a self-help group based in London which offers a supportive group setting where members can share working experiences and build a sense of community. It is affiliated to the hotel and restaurant branch of Unite the Union and Kalayaan ('freedom' in Tagalog) which is a charity organization providing advice and advocacy service for MDWs in the UK. In November 2010, J4DW registered itself as a company.<sup>2</sup> Among people on the management broad are domestic workers from Philippine, India, Indonesia, Sri Lanka, Morocco and Nigeria who are directly elected by J4DW members, founders of Kalayaan, Deputy General Secretary for Equalities and Organizing of Unite the Union and one community priest. So far, J4DW has not received any funding from government or other social bodies. Its functioning largely relied on a membership fee of one pound monthly per person.

J4DW has roughly 500 members<sup>3</sup> who are commonly suffering from exploitative working conditions. The survey which was conducted among twenty-seven J4DW members showed an average monthly salary at 800 lb with the least being 150 lb and working hours ranging from 12 to 20 h per day. J4DW has organized the following activities for their members: Free ESOL, IT and art classes every Sunday; organizing courses offered by UNITE; legal surgeries by qualified solicitors; employment rights advice; emergency support for those escaping employers; cooperation with research institutes to produce reports on working conditions; parliamentary lobbying; media connections (such as BBC Four: Dispatch and Guardian) to raise public awareness on the plight of MDWs and social trips.

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<sup>2</sup>J4DW is not running any commercial activities. If an organization’s income does not exceed £5000, it is not able to register as a charity with the Charity Commission for England and Wales. J4DW cannot afford £5000 to start with charity. They also choose not to receive state funding or regular funding from NGOs because of the potential constraints imposed on their organizing activities.

<sup>3</sup>It is the accumulative number of J4DW members since its establishment. In classes and meetings every Sunday, there are usually 30–50 active members.

Various research methods including interviews, participatory observations and informal conversations were used in this ethnographic study. The ethnographic data was collected between 2009 and 2012. I worked as assistant English tutor for two months and helped with employment advice sessions. The volunteer experience helped the researcher draw out the key issues affecting MDWs and understand the structures of the self-help group. I was also involved in J4DW monthly self-regulated meetings, social activities, union meetings, parliamentary meetings and campaigns. Twenty-four interviews were conducted with MDWs, union officials, community activists and NGO staff. Interview questions were clustered around the following issues: working conditions, individual coping strategies, spaces and recourses for organizing, methods and forms of organizing, democracy within the organization, relations with trade unions and NGOs and organizing outcomes. In some occasions, I found that some MDWs did not feel comfortable about the type of ‘ask and answer’ conversation. In order to create a more relaxed and pleasant atmosphere which was not forced into a framework determined by the researcher, some interviewees were simply given the space to talk widely about their migrant trajectory, work and life experiences and the way they dealt with any problems they encountered. This kind of informality and focus on ‘listening’ proved to be essential in establishing trust and rapport between MDWs and me. Different types of interviews, semi-structured or unstructured, were used according to the reactions of the interviewees, the establishment of a relationship based on trust and the social situation in which the interviews were carried out.

## 2.5 The Maternalistic and Servant Dynamics in the Domestic Worker Sector<sup>4</sup>

Echoing the existing study on the maternalistic and servant dynamics of domestic work, the study found that many MDWs tended to frame their position as labourers of love rather than as ‘real workers’ initially. Even though all of the workers involved in the study were recruited under a standard contract which confers basic employment rights, it seldom served as the guidance for contacts between MDWs and their employers which were often perceived as maternalistic and/or servant relationships.

The first form of maternalism is the framing of ‘being part of the family’. To understand the strength of the framing of maternalism, it is necessary to understand the MDWs’ roles in their own families. Many workers described a position in which they gave generous love to their own family and their employer’s family, while suffering from huge personal emotional loss in return. A number of MDWs in

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<sup>4</sup>The data section draws from the materials published in this paper: Jiang and Korczynski (2016) ‘When the “Unorganizable” Organize: The Collective Mobilization of Migrant Domestic Workers in London’, *Human Relations*, vol. 69, no. 3, 813–838.

the study reported that their husbands had left them after they went to work abroad. It was also not uncommon for interviewees to report that they were no longer recognized by their children when they returned home. In J4DW's monthly meetings, MDWs frequently used the adjective—'loveless'—to describe their situation. When asked about the most difficult part of life as a domestic worker in London, most of them emphasized that being a MDW is emotionally and mentally difficult. Some MDWs had never been married and had no children. This explains why they defined whether an employer is good less in terms of the wages and benefits they received and more in terms of the family relationship they experienced in the employer's homes.

We have a good relationship. That's why I don't care about the loss of salary (at that time, her monthly salary was 200 lb)... I like the feeling of being part of the family. A lot of domestic workers, their employers treat them badly. They are like slaves. That's why I don't care about the salary. I was lucky. (laughing) (Pilipino, 36 years old, single, 5 years in the UK)

Another very emotional aspect of maternalism is the role of 'motherhood'. Most MDWs who had children at home transferred a significant degree of their 'motherhood' to their employer's children. Forming strong emotional bonds with their employer's children also blurred the line between 'working' and 'mothering'. Some domestic workers were even willing to compromise their employment rights they are entitled to for the comfort derived from being a good 'mother' to their employer's children. By taking good care of their employer's children, they felt consoled and had a sense of being compensated, for the lack of opportunity to their own children as a mother.

They asked me to sleep on the floor of the baby's room, but I don't care. I like the baby. He is so small. If he wakes up at night, who can take care of him if I am not there?... He's closer to me, not his real mother. I don't want to have problems with my employer. I am so afraid if they don't allow me to see the baby anymore. I left my baby since she was born. (tears) (Sri Lankan, 40 years old, single mother with one child, 5 years in the UK)

J4DW monthly meetings always contained a section of new members' self-introduction, in which most J4DW new members described themselves with low self-esteem as 'domestic servants' rather than 'domestic workers'. This suggests the importance of a 'servant' framing. Such a framing is partly generated from their working experiences as domestic workers in the previous destination countries or home countries. An Indonesian domestic worker shared her working experience in Qatar where she was locked in the room every day after she finished work at midnight and unlocked every morning at 4:30 am to let her start working again. She said that she had become used to the way in which she as a domestic worker was treated as a 'servant' subject to dispositions of their masters. Such a 'servant' framing can also be reinforced by public perceptions of domestic work in their home countries. Several Indian domestic workers mentioned that when they told their Indian friends about their work, a common response was 'oh, you are a servant'. They had been uncomfortable about this, but had not known how to articulate a different framing around employment rights.

After they moved to the UK where domestic workers are expected to enjoy the same employment rights as other workers do, many MDWs carried the ‘servant’ framing with them as they had little chance to access employment right information and advice. The ‘live-in’ conditions and long working hours reduced their chance to go out, meet friends and join social groups. According to the survey, only 5 out of 27 J4DW members had the experience of joining unions, ethnic organizations, women organization or churches before joining J4DW. Due to such social isolation, the majority of MDWs interviewed stated that they had no idea of what employment rights were available to them after arriving in the UK.

I know nothing about London at that time. I don’t have days off. I got up at 5:30 in the morning and slept at 10 pm. I don’t know anything about wages and rights. So I didn’t make any complaints. Then when I went out, I met Philippines. They asked me, ‘are you living in London?’ I said, ‘yes’. I asked them about rights and wages in London. They said the National Minimum Wage is 250 lb per week. I said, ‘ah, is it true?’ I have been silly, 200 lb per month (the salary of her first job in the UK). Oh my god, I can be rich by staying in London, 250 lb a week. I can send a lot of money back to Philippine. I felt I was a little envy of them. (Pilipino, single, 36 years old, 5 years in the UK)

## **2.6 Redefining Employer/Employee Relationship and Fostering Labour Solidarity**

As the maternalist and servant framing veiled the exploitative employment relationship in which they were situated, the labour ‘solidarity’ among MDWs was something that had to be worked for. From ‘mothers’ and ‘servants’ subjected to particular dispositions of individual employers to deliberate subjects knowing and fighting for their rights, a radical shift in understanding of their positions and relationships with employers was needed. J4DW utilized three processes to reshape MDWs’ understanding of their working reality and transform them from ‘labourers of love’ to workers with rights.

First, J4DW created a space for the formation of ‘communities of coping’ among MDWs. One of the main purposes of the group was to provide a space, apart from employers, for care and sharing. J4DW is characterized by non-hierarchical, flat and democratic structures built upon trusting connections among participants. The recruitment method involved a migrant domestic worker asking another domestic worker, usually a friend of theirs, to join them in coping with working circumstances. Establishing a relaxing and trusting atmosphere was essential to encouraging this particularly vulnerable group of workers to talk frankly about their experience and to accumulate their social capital. There was one J4DW member who appeared scared and silent at the first time I met her. However, in meetings in the following months she was actively sharing her horrible working experiences within the company of her friends.

J4DW monthly meetings were always characterized by informality and a sharing culture. Members were allowed to bring their children, partners, friends or their

employers' kids to the meeting. It was common to see babies crawling on the floor during the meeting. Some were called 'J4DW babies' because their mothers carried them to classes and meetings since they were born. Members could sit anywhere, even on the table; they could also interrupt the speech at any time if they had any questions or other issues to raise. The meetings started with self-introduction of all people who were present alongside jokes and casual interactions. There was a specific section which allowed all members to share what was going on with their work, what seminars or training they had attended, how they felt about recent classes and social trips and all other experiences in life. People who were shy and silent were always encouraged to talk by the chair of J4DW. Different emotions, such as sorrow, happiness, sympathy and empathy, could be easily seen during the meeting. When the emotions were overwhelming, people might clap in support or hearing some strong words such as 'bastard'.

J4DW also offered emergency aid to those MDWs who escaped from their employers' houses with no place to stay. Short-term accommodation and clothing were often provided by their fellow workers. Social trips to different cities of Britain were regularly organized to facilitate communication and friendship among MDWs. There were two MDWs who changed their jobs and moved to the outskirts of London. Although it cost them 25–30 lb for the return journey from their employers' house to J4DW on Sundays, which was a significant amount of money given their income, they still attended the activities every week. Such loose trusting connections allowed them to receive love, care and attention from their fellow workers. This emotional healing process helped to reduce their emotional reliance on their employer's family. The majority of interviewees emphasized mutual support and sisterhood in J4DW. As one J4DW member commented,

We are like sisters. I didn't encounter any problems because we are helping each other. One has the problem; we are helping them. We help one another and unite as one.

Facilitated by the flat, trusting and gendered space of J4DW, MDWs thus tended to form communities of coping organically. They started socializing with those friends made in J4DW in their houses, restaurants, churches and parks after work, and in this process. They established their own social circle for emergent needs and emotional comforts.

Communities of coping were essential for the organic creation of solidarity, but on their own they did nothing to challenge the status quo. More importantly, politicized learning provided an interactive context in which labour solidarity was prioritized and further developed. English and IT classes were taught by the J4DW chair and other volunteers every Sunday in a place offered by Unite the Union. The first salient purpose of education was to equip MDWs with necessary language knowledge and skills so as to improve their employability. More importantly, the chair of J4DW emphasized the importance of educating MDWs to help them create their own view of the world and develop their political consciousness. She shared her personal experiences with critical learning. 'I was very depressed when I was

writing “cry of a migrant”.<sup>5</sup> Then they (Unite the Union) found me. I got a series of training and became much more politically active. I know the importance of education.’

J4DW chair and directors were very aware of the danger that they themselves as professional educators might be part of the structures that workers would resist. Therefore, all tutors are either domestic workers or Unite members, and they always combined language learning with political educating. The educator had an explicit political aim of stimulating workers’ sense of injustice and encouraging them to take more active and resistive actions. For instance, when members described their job as ‘servant’ during the conversation sessions, the educator would develop the process of reframing by asking MDWs to use the term ‘worker’ to describe themselves.

A story-telling method was utilized in English learning sessions to encourage members to talk about their work-related experiences. The advantage was that personal stories involved a lot of daily life experiences which were highly emotional and resonant. Educators organized group discussions on employment right in which members were encouraged to talk about issues such as wages, holidays and health. In this way, MDWs drew on their personal experiences to understand oppression and its social causation. The continuing discussion to understand their own situation and seek the methods of changing the situation played a crucial role in fostering labour awareness which was essential to collective mobilization.

The overall mode of participative democracy also constituted another part of the process in the transition of MDWs to labourers with collective rights. The leader of J4DW, rather than being an outsider, came from the MDW community and was a full-time domestic worker herself. Rather than giving orders and directing events, she believed that all MDWs have the potential to be leaders and organizers. J4DW had a conception of leadership as supporting and educating. The chair was more like a ‘bridge leader’ who developed social networks and activities that created a sense of community consciousness, connecting people with similar issues and highlighting awareness of shared concerns. There were attempts to develop a group-centred leadership that embraced the participation of the many as opposed to creating competition over the evaluation of a few. Members were encouraged to attend organizing courses arranged by unions and give public speeches. Various J4DW members have represented MDWs in public forums and parliamentary meetings to report on their employment situation. The major decisions affecting MDWs were collectively discussed at their monthly self-regulated meetings where all J4DW members were encouraged to attend.

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<sup>5</sup>The chair of J4DW wrote an essay about her personal story as a migrant worker, ‘cry of a migrant’, and won the first prize at a union festival organized by Unite the Union.

## 2.7 Outcomes: Organizing for Whom, and for What?

The final question to consider is how successful such collective efforts have been. Here, we consider institutional gains and senses of subjective empowerment, and both short-term outcomes and long-term activism in the assessment of gains made.

Campaigns are ongoing to urge the British government to ratify ILO convention on International Domestic Workers and to abolish the government's change of domestic visa policy announced in February 2012, and it is hard to predict the outcome of these campaigns. We can still point out that J4DW has largely improved their public profile by strategically utilizing media to frame their situation. Noticeably invitations from media, conferences and forums have asked J4DW to give their views. Crucially, grassroots empowerment has been enhanced. It is clear that the majority of J4DW members feel more confident and powerful in dealing with their own problems and engaging in public events related to MDWs. One J4DW member put it thus:

We are sharing experiences. We teach each other knowledge, learning and improving. I feel more confident to talk. Before I was so lonely, so weak; I don't know what to do if I have problems. I have no idea with whom I can talk. Now I know what rights I have. I feel I am braver now. I made many friends here. (Indian, 38 years old, married with two children, 2 years in the UK)

Two Pilipino domestic workers successfully brought their unfair dismissal cases to employment tribunal and won compensations, with the support from J4DW. After that, a separate working group, led by two MDWs involved, was established to help other fellow workers with the procedures in making a claim to employment tribunals. Not only has their individual capacity to challenge exploitative conditions been enhanced, but their collective activism has also been provoked. Nearly all MDWs in the study expressed their interests in joining campaigns related to MDWs or general workers. Some joined other unions, women organizations or ethnic organizations after joining J4DW. The social capital has been extended to other progressive organizations in the UK. As one Pilipino domestic worker noted:

I like campaigns. I've already joined the demonstration last year. I feel we were strong, bright, and active... had some social influences...If we are sitting alone, what will happen? Nothing. We might cry, complain, but nothing will change. I like joining people. We can make other people listen to us. We should let those people know they need to pay us salary; they need to comply with those terms and conditions. (35 years old, divorced with one child, 4 years in the UK)

It is notable that this domestic worker mentioned that she was not very interested in joining campaigns but wanted to focus on earning more money for her son's education when she firstly joined J4DW. The change through involvement in J4DW was palpable.

An important debate in community organizing study is whether this alternative labour organizing complements or threatens unionization efforts. In this case, J4DW has supported and expanded the domestic worker unionizing activities of Unite the Union. Unite has successfully recruited a number of MDWs.

These organizations have close relationship with domestic workers. They function as meeting places for domestic workers. If we go and recruit them directly, we won't get them. For example, I, a white, male, middle-class union officer go and recruit them, they won't feel comfortable. They are psychologically distanced from me. We approach J4DW first. They understand each other. We could find potential members by working with them. If you have a look at our record, you can easily find 500 people.<sup>6</sup> (Unite the union London organizer)

The potential problem that community organizing might overemphasize the ‘immigrant’ and ‘female’ identity of MDWs while undercutting worker consciousness was not manifested in this case. Instead of constructing MDWs as recipient clients, it aims at building workers’ capacity to be the innovators and engines of their own organizing. The leaders come from the domestic worker community and are democratically elected by workers, creating a model of direct representation for MDWs. In supporting their grassroots activism while allowing their autonomy, union has enhanced worker-directed organizing capacity in a highly exploitative industry.

Trade union also faces the question of how to manage the relationship with J4DW as it gathers strength and status. J4DW leaders emphasize the importance of both strong links with the union and the maintenance of autonomy. As one founder of J4DW summarized:

If we look back over the years of campaign, some crucial points which really stand out. One is our relationship with trade union. That was a very crucial point to us, and secondly, is the fact that we organized workers themselves, in their own separate groups. They set up autonomous groups with their own officers, their own bank accounts, and total independence from any other group.

Whether the union perceives itself as an institutionalized interest group or part of a wider social movement may directly affect the sustainability of the coalition between union and the MDW self-help group.

## 2.8 Conclusion

By focusing on a MDW self-help group in London, the paper has responded to recent calls for rebalancing the prevailing trend of considering immigrant workers as objects and victims of global economic restructuring by looking at them, from the bottom-up, in their role as active social actors. While some scholars (Castells 1996) suggest that increasing differentiation of workforce and changing nature of the work would lead to the dissolving of labour solidarity, MDWs’ organizing efforts point to a possibility of nurturing migrant workers’ labour consciousness and further organizing them based on worker identity in dispersed and informal sectors.

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<sup>6</sup>500 members are not all from J4DW. Unite recruited 500 MDWs through the connections with different community organizations. Some of them are East and Middle European Migrants who do not have visa problems.

The findings echo Pero’s (2008) argument that immigrants are still mobilizing around issues of class cross-ethnically and such mobilization, far from being obsolete, can be of crucial importance to achieve social justice. It is particularly notable that this is the case even in an ‘extreme case’, in which barriers to collective mobilization may appear insurmountable to the outside analyst.

In contrast to the institution-centric approach in the existing literature of community unionism which emphasizes the centrality of trade unions and formal community organizations in shaping migrants’ collective agency, the study highlights the role of ‘communities of coping’ in nurturing workers’ collective activism in dispersed service sectors. The study argues that ‘communities of coping’ can assist in developing collective agency among migrant workers in three important ways. First, communities of coping out of the workplace could offer a safe space featured with informal and sharing culture and friendship-based recruitment methods, in which immigrant service workers can heal emotional wounds and develop self-confidence and mutual trust. The development of self-confidence is essential to nurturing the collective agency among migrant workers in dispersed sectors because high exploitations and social isolations often produce a feeling of powerlessness among immigrant workers. The feeling of personal efficacy can make immigrant workers believe that it is possible to challenge work exploitations. Moreover, communities of coping provide an ideological space removed from the surveillance of employers, in which immigrant workers can discuss work grievances and understand the structural causes of work exploitations through politicized learning. Political and radical learning served as a key step to transform a community of coping to a community of and for workers. Non-didactic, politicized learning helped migrant workers reflect on their experiences in post-industrial economy and migrant context and further developed their labour consciousness. This echoes Passy’s (2003: 22) argument that community of coping has socialization function—identity creating and strengthening. The implication for trade unionists and labour activities is that it is crucial to treat education as a mobilization context in which critical labour consciousness can be nurtured, instead of the service provision to attract migrant members. Finally, communities of coping may also provide leaders from immigrant worker community who attempt to develop a voluntary and group-centred leadership that embraces the participation of the many, rejecting the traditions of authoritarianism and hierarchies plaguing classical trade unions. Given the potential for communities of coping to serve as the basis for resistive collectivism, the further development of collective mobilizations in informal and individualized sectors may require creative leaps of sociological imagination in locating and nurturing communities of coping, wherever they may be occurring—in ethnic social clubs, women’s groups, churches or at school gates.

Furthermore, the study argues that the assessment of outcomes of community organizing needs to shift from a focus on organizational development and policy changes to a focus on the empowerment of immigrant workers at the grassroots level. Although substantial changes of MDW’s working conditions and visa status through public policy lobbying or campaigning have not yet been achieved, we have clearly witnessed empowerment in the sense of individual and collective

agency and an improvement of working conditions in individualized labour processes for MDWs. It is widely reported that MDWs have developed self-confidence in public speaking and improved working conditions via either negotiating with employers or making claims to employment tribunals. Labour consciousness, namely the awareness of the existence of different classes and the desire to improve working conditions, has been developed among many MDWs. Many MDWs have claimed that they were interested in joining further collective actions to fight for their rights at work. The meaning of empowerment perceived by migrant workers themselves has been enlarged, from psychological progression, such as gaining confidence at work, and becoming more active in joining campaigns, to material actions, such as the improvement of working conditions in individual workplaces and continued lobbying of public policy that might bring positive changes to their visa status and working conditions. Scholars have argued that even if mobilization may emerge, there remains a significant barrier to the longer-term sustainability of such mobilization (Ally 2005). The danger is that mobilizations not tied to longer-term stable institutions such as trade unions may briefly wax but will then tend to wane, and dissipate. Given that the research occurred in the early years after the founding of J4DW, it is clearly not possible to assess whether J4DW has been able to successfully address this problem. However, the creative combination of participative democracy, collective leadership development and relatively autonomous links to stable formal institutions suggests that the mobilization efforts of J4DW may be able to be sustained at least into the medium term.

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# Chapter 3

## Mobilizing Concealment and Spectacle Among Uruguay's Waste-Pickers



P. O'Hare

**Abstract** This chapter centers on the labor organization of waste-pickers (*clasificadores*) in Montevideo, Uruguay. It compares the organizational strategies of the waste-picker trade union with those of *clasificadores* working in landfills, and in formal sector recycling plants. While the trade union relies on spectacular protest in an effort to leverage concessions from the municipal government, it is shown that such methods are inappropriate for those at the landfill who instead rely on the concealment of their clandestine labor, and the development of affective bonds with municipal workers. Those working in formal sector recycling plants, meanwhile, are able both to make use of their newly found visibility and to use traditional avenues of workers' struggle, such as taking strike-action and foot-dragging. Rather than being powerless, a range of 'weapons of the weak' are thus shown to be available to waste-pickers. Instead of being individualistic, *clasificadores* at different sites and scales use these to achieve and defend access to waste and thus livelihoods for various collectives, from cooperative to kinship groups.

**Keyword** Labor organizing · Waste-picking · Recycling · Concealment Spectacle

### 3.1 Introduction

Of all precarious and informal sector workers, waste-pickers are among those who have attracted most media and cultural attention at a global scale, featuring in evocative novels (Boo 2013) and award-winning films (Prado and Padilha 2005; Aynsley and Walker 2010), as well as in detailed ethnographic accounts (Millar 2014). In Montevideo, Uruguay, thousands of informal sector recyclers, known as *clasificadores* (classifiers) scour the city on horse and cart, seeking materials that can be recovered, commercialized, and recycled (PUC 2006: 19; IM et al. 2012).

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*Clasificadores* are estimated to be responsible for up to 40% of the city's recycling (LKSUR 2004; Fernandez 2012), and to constitute the weakest link in the recycling chain—in the sense that they are least remunerated and most exposed to risk (Elizalde et al. 2012). The plastics, metals, and papers they sell vastly increase in price as they are transformed and make their way through a series of intermediaries before arriving at national industry or export. *Clasificadores* have historically suffered repression, stigmatization, and discrimination as they have been physically abused by police and targeted by municipal legislation. At the same time, they have also become popular media subjects, their presence seemingly out of place, exotic, and controversial in the modern city (Fernandez 2010).

Basing itself on 18 months of ethnographic fieldwork conducted with *clasificadores* in 2009/10 and 2014, this chapter describes how the *clasificador* trade union, the *Union de Clasificadores de Residuos Solidos Urbanos* (UCRUS) seeks to take advantage of this visibility in the development of their labor politics. Until recently at least, and unlike in more conventional labor struggles, *clasificadores* have been principally concerned not with wages and conditions, but with access to waste. This research highlights how, in the absence of tools available to organized workers such as that of taking effective strike action, *clasificadores* employ “weapons of the weak” (Scott 1985) to gain access to recyclable materials and exercise their livelihood.

After briefly placing this text within broader scholarship on waste labor and precarious union organizing, this chapter is divided into three sections focusing on the collective politics of Uruguayan waste-pickers operating at different scales. In the first section, I argue that the *clasificador* trade union turns to a “spectacular politics” that seeks at once to create and make visible a community of waste-pickers in the city. Yet a fundamental contradiction plagues the UCRUS’s strategy: much of what occurs in the waste trade, and benefits participants to various degrees, relies on complicity in obscuring its inner workings. As such, “spectacular politics” is not suitable for all *clasificadores*, especially not those who earn their daily bread working clandestinely at landfills. In the second section, I turn to such workers and reveal the tactics—based around affect and concealment—that they use to secure a living from the landfill’s bounty. Uruguayan state attempts to formalize the waste-picking sector by creating recycling plants have also changed the boundaries and possibilities of labor politics in the sector. Workers at the newly created Aries plant were familiar with the tactics outlined above, having both labored at landfills and been involved in their trade union. In the third section, I focus on how formal sector employment has opened up more traditional avenues of struggle for such workers, who attempt to combine different forms of labor politics, seeking in particular to assert control over the spectacle of their labor.

If we are to take an inclusive approach which expands labor studies beyond the trade unionism of “institutional, “top down” responses and strategies” (Atzeni 2016: 194) then, I argue, an expansion of what we consider collective politics is a necessary corollary. Rather than resisting trade unionism because they are “individualistic,” I argue that *clasificadores* who employ different methods of struggle at different scales are instead interested in constructing and sustaining alternative

collectives. While the UCRUS's vision of uniting commonly exploited *clasificadores* across the sector is the most inclusive, I suggest that workers at the landfill and in formal sector plants also concentrate energies on supporting particular collectives based on bonds of friendship, kinship, and neighborhood. Having established that the actions engaged in by *clasificadores* at these different scales all constitute forms of collective action, I finally turn to the question of which methods of labor mobilization can be considered most effective in this context.

### 3.2 Waste Work and Precarious Labor Organizing

This chapter seeks to contribute to academic scholarship on labor politics and organizing in an age of precarity. The issue of precarity and precarious work has been much debated in recent years, with Standing (2011, 2014) even arguing that the “precariat” constitute a “new dangerous class,” separate from the traditional working class and made up of interns, subcontracted laborers, temporary, and part-time workers. Breman (2013), meanwhile, has dismissed the precariat-as-class as a “bogus concept”: eurocentric for its failure to sufficiently recognize the precarity which has long affected much of the world’s population and an unwieldy attempt to unite such diverse experiences and structured relations into a single class. Munck (2013) puts it rather more bluntly, calling it “a colonizing concept in the South in classic Eurocentric mode.” Elsewhere, Neilson and Rossiter (2008) doubt whether the experience of precarity can “simply merge or sew together experiences of contingency, vulnerability and risk across different historical periods and geographical spaces,” creating a “stable, undivided subject position” (Neilson and Rossiter 2008: 65; see also Ross 2008).

Yet it is widely recognized that, in recent decades, work has become rather more precarious for many in the Global North, where trade unions have struggled to defend jobs, pay, and conditions, never mind improve them (Kalleberg 2009). Instead of the Rest following the West, “now, it seems, it is the West that is following the Rest when it comes to the growing insecurity of work conditions” (Breman 2013: 130). Dwindling membership has, however, in many places pushed unions to engage with “precarious” workers they might have previously ignored for ideological or practical reasons: the subcontracted, the informal, and the unemployed (see Dinerstein 2013; Aguiar 2016; Benassi and Vlandas 2016; Yun 2016). Additionally, a regional dynamic relevant for this chapter is the way that neo-liberal restructuring and crisis in the 1990s and 2000s pushed many Latin American workers out of unionized, formal sector work, and into (initially) non-unionized informal sector activities such as waste-picking (Adissi 2004; Grimson 2008; Sternberg 2013).

Waste-pickers were, for many years, seen as incapable of (radical) political organization. They were, as Benjamin had it, subsumed into the counter-revolutionary lumpenproletariat in a double sense: “dressed in rags (lumpen) and occupied with them” (Benjamin 1999: 441). As Birbeck (1978) surmised

in his study of the “self-employed proletarians” providing materials for Cali’s recycling industry, “the revolution will be a long time coming to the garbage dump” (1978: 1181). Birbeck did not foresee Colombian waste-pickers developing one of the most organized movements in the world, a turn of events explored recently by Rosaldo (2016) whose article title “revolution at the garbage dump”—draws attention to Birbeck’s lack of foresight.

Recent years have seen the growth and strengthening of waste-picker organization in Latin American and globally. Samson’s (2009) edited volume describes some of the hotspots of waste-picker activism and trade unionism: the KKP KP in Pune, India, the Recyclers Association of Bogota (ARB), and the National Recyclers Movement (MNCR) in Brazil, among others (see also Chikarmane 2014; Samson 2015). The UCRUS of Uruguay forms part of this panorama and has enjoyed years of communication and exchange with other members of the Latin American Recyclers Network (Red Lacre; see Meoni 2014). As in the case of Justice for Janitors (J4 J) style community unionism, for the diverse unions and movements of the Red Lacre, the model is not “simply adopted wholesale and unchanged by unions overseas but [rather] intersects with the contingencies of ... places, histories and times” (Aguiar 2016: 261).

This chapter is partly about the methods employed by the UCRUS, which to a certain extent resonate with the direct action and flamboyance of community and organizing models of trade unionism. However, it is also concerned with the many Montevidean waste-pickers who have minimum involvement in their union. Why do they shun the UCRUS? Does this mean that they have abandoned collective labor politics and organizing altogether? If waste-pickers in their organizations, unions, and movements have been brought out of the shadows and into the sphere of political agency, part of the challenge I set myself here is to recognize the complex agency and collective organization of waste workers outside of the formal trade union movement.

This is certainly a challenge. But I fear that the alternative would be to rescue the political subjectivity of some workers while conserving negative descriptions for a smaller group of non-unionized or un-cooperativized waste-pickers. Indeed, Carenzo and Miguez (2010) argue that many waste scholars engage in a simplistic division between cooperativized waste-pickers whom they associate with the values of solidarity, formality, and dignification and non-cooperativized waste-pickers negatively associated with individualism, informality, and precarity. As Thoburn (2002) has argued, Marx did something similar in developing the category of the lumpenproletariat in the first place: by way of this “mechanism for freeing up his concept of the proletariat from the bourgeois image of a seething rabble ... he transfers all the old content into the new category of the lumpen proletariat” (2002: 439). There is then a redemptive quality to this present work, as I seek to foreground the action of workers who often shun their union but still engage in collective action to defend their livelihoods and improve their pay and working conditions.

Some of these actions might be compared to what Scott (1985) called the “weapons of the weak.” In his now classic book, Scott sought to shift the scholarly focus on large-scale peasant rebellions in favor of what he called the “small arms fire in the class war” and “everyday forms of peasant resistance—the prosaic but constant struggle between the peasantry and those who seek to extract labor, food, taxes, rents, and interest from them” (1985: 29 original ital.). I draw inspiration from Scott’s focus on the struggle which takes places in the everyday, in between large demonstrations and riots, whether of peasants or of waste-pickers. Like Scott, I find that in the case of *clasificadores*, “where institutionalized politics is formal, overt, concerned with systematic, de jure change, everyday resistance is informal, often covert, and concerned largely with immediate, de facto gains” (1985: 33). Echoing Birbeck (1978), I tend to agree that the revolution will not be coming to Uruguay’s landfills anytime soon. But in the meantime, a low-intensity everyday labor politics of affect and concealment endure.

### 3.3 The Spectacular Politics of the UCRUS

The *clasificador* sector is a “peculiar” one to organize, a delegate from Uruguay’s trade union federation (PIT-CNT) who assists the UCRUS told me when I interviewed him over sips of *mate* tea at the PIT-CNT’s Montevideo headquarters. Until the recent (2014) construction of private-public partnership recycling plants, Montevideo’s *clasificadores* have had no direct employer, and the new plants involve only 128 workers. Rather, they have tended to work individually, in family groups, or in a small number of state-sponsored cooperatives (see PUC 2006, 2008). Their number probably lies between three and nine thousand but fluctuates, with a permanent core supplemented by those who drop into waste-picking following economic downturn.<sup>1</sup> *Clasificadores* are also divided into those who work at landfills, on horse and cart (*carreros*), in cooperatives and in recycling plants. Rather than disputing the distribution of surplus value, the UCRUS has mostly concerned itself with struggle for access to the waste materials that are *surplus* to the requirements of consumers and producers but constitute the recyclers’ livelihood. Given these particularities, even the development of what Lenin (1990) somewhat disparaging called “trade union consciousness” has been a challenge in the sector.

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<sup>1</sup>Sectoral extension agreements where contract terms in union workplaces are extended by government decree across a firm type in a given locality, or sectoral bargaining models where labor councils bargain with employers associations or representative firms and the terms are imposed across the sector. These models have been used in different jurisdictions in Canada are still on the books in Quebec. Sectoral bargaining is still prevalent in the construction sector in Canada, where it was imposed by government to protect weak firms against strong unions.

The UCRUS's principal antagonist over the years has been as much economic as political in nature: the municipal government (*Intendencia*). For many years, the collection and classification of waste by *clasificadores* was prohibited by a decree enforced with varying levels of severity depending on the municipal administration (O'Hare 2017). Since 1990, the activity has been legal, but a series of restrictions were placed on *clasificadores*' access to waste in the 2000s that led to the emergence of the trade union. The UCRUS's "origin myth" can traced to Montevideo's Felipe Cardoso landfill in 2002, when a group of *carterros* who were attempting to start a trade union under the direction of political militant *El Viejo* joined the struggle of those at the landfill being denied access. *El Viejo* urged them to block the landfill entrance, leading to a backlog of trucks and the accumulation of waste in the city. This forced the municipality into negotiations, the outcome of which was the granting of a piece of land where *clasificadores* were allowed to received and classified waste trucks. The second UCRUS milestone was the staging of a "march of the carts" (*marcha de los carros*) in 2008, when thousands of *carterros* gathered in the city to protest against the municipal confiscation of carts and the denial of their right to circulate in parts of the city. Again, the march was relatively successful in that it led to a steady scaling back of municipal repression.

Nowadays, the UCRUS consists of a small secretariat and several sympathetic *acompañantes* (assistants or "accompanists") drawn from the anarchist and socialist movement. They hold regular weekly meetings in a community center, but the number of attendees during my most recent fieldwork period was low, partly due to a series of internal disputes. During that year, the UCRUS concerned itself with opposing restrictions on *clasificadores*' urban circulation; lobbying for recycling plants that would host more *clasificadores*; and carrying out individual case-work, especially for *clasificadores* who had had their horse and carts confiscated.

It is interesting to note that although it complained about the structural position of *clasificadores* in the recycling industry, the union's main struggles were not for higher material prices and did not target the intermediaries who bought such materials from them. While it supported the formation of *clasificador* cooperatives —so as to obtain better prices by selling wholesale and directly to industry—the UCRUS's focus could accurately be described as defensive, centering on the right to access materials and thus work. From my research with *clasificadores*, it became clear why the police and municipal authorities were a more popular antagonist than intermediaries: the latter lived alongside *clasificadores*, shared cultural traits of the popular neighborhoods, and were intimately bound up with waste-pickers in clientelistic and affective relations. *Clasificadores* whom I spoke to singled out some buyers for "robbing you at the scales," but others were considered to be making an honest living. Some intermediaries even supplied transport for the UCRUS rallies because they also stood to lose out from an interruption to the supply of materials and attempts to formalize the sector.

The importance of this point for the discussion here is the manner in which the adoption of the *Intendencia* as principal adversary has pushed the union's politics towards the spectacular. The municipality is immensely sensitive to media depictions of waste, so much, so that civil servants have collated a file containing every

newspaper story relating to rubbish since the 1960s. Waste is consistently one of the most important issues in municipal elections, with repeated critiques of successive administrations' attempts to contain waste in the city. Pictures of overflowing dustbins, illegal fly-tipping sites, and *clasificadores* have long featured as part of this critique of inadequate aesthetic and hygienic management. It is partly this public critique, stemming principally from elites, that led the municipal government to attempt to restrict the capacity of *clasificadores* to circulate in the city. The UCRUS's response has been the organization of horse and cart marches, in a manner that dramatizes the urban presence of *clasificadores* (O'Hare 2017).

The marches are spectacular in the first instance because they bring about the mass presence of horses and carts in the city. On march day, some *clasificadores* compete with each other in displaying the workmanship and sophistication of their carts (see footnote 1), while others enjoy the freedom of riding bareback through the city. The actual numbers of demonstrators present in these "cart marches" were often significantly smaller than other political protests but the presence of horse and carts—otherwise absent in such numbers from the urban landscape—always made them striking and newsworthy. The presence of the carts represented a challenge, and an alternative vision of how the city might be ordered differently, with priority and respect given to the poor on horseback, as opposed to the better-off in cars.

On demonstrations, *clasificador* carts were ubiquitously draped in the Uruguayan flag and the tricolor of the national liberator Jose Gervasio Artigas. Some slogans proclaimed the "right to work" while others asserted that the "nation was built on horseback." The latter phrase hints at the importance of the horse to Uruguayan national identity and the link *clasificadores* claim to the legendary Uruguayan figure of the *gaucho*, or landless, roving cowboy. While the municipality and animal rights groups criticized the existence of the working horse in the city, *clasificadores* claimed a powerful genealogy with the marginalized but autonomous gaucho who was driven into wage labor when the Uruguayan countryside was enclosed (Ras 1996). There is a structural and symbolic similarity between the *clasificador* and the *gaucho*, and the union's complaints at times took on a cultural bent as they centered around the defense of a "way of life."

The way I engage with "spectacle" here is rather different from that of its most prominent theorist, the situationist Guy Debord. In *The Society of the Spectacle* (2002 [1967]), Debord famously argued that spectacle is not "a collection of images" but "a social relation between people that is mediated by images" (2002: 4). For Debord, late capitalism relied upon the transformation of representations into commodities in order to obscure its social relations of exploitation. For emancipatory ends, the working class should reduce "all power to the de-alienating form of realized democracy" (2002: 29), Debord argued, but the idea that they could do this through "spectacle," without being co-opted or themselves turned into a representation—as Debord suggests occurred in the Soviet Union—appears to be absent from his work.

Rather than that of Debord, I draw on an understanding of spectacle developed by Daniel Goldstein. In his book, *The Spectacular City*, Goldstein (2004) sets out a theory of urban spectacle that accounts for the ways that marginalized groups stage

spectacles that not only dramatize the injustice of their relegation but also put forward a vision of how things might be different. The carnival and lynching practices that he details in Cochabamba, Bolivia, do not simply reflect a given social order, society, or dominant praxis in the city, as Handelman (1997: 387) would have it. Instead, they “operate as a critique of the existing social system by presenting alternative forms of living and social ordering” (Goldstein 2004: 16). Such a conceptualization of spectacle can help us understand the labor organizing strategies of the UCRUS.

The way that the UCRUS performs a link to the national imaginary through the evocation of the Gaucho, for instance, bears a close resemblance to the dynamics of the marginal Cochabamba festival studied by Goldstein, where participants claim an association with the celebrated national carnival in Oruru. The author argues that residents, or *pagadoreños*, were “asserting a claim to authenticity … framing their own collective genealogy through a spectacle that demonstrates their connections to the origins of Bolivian national culture” (2004: 138). “Significantly in this context of marginality and exclusion, the Fiesta as spectacle serves to demonstrate the national belonging of the Fiesta performers,” he continues, “and provides a vehicle of publicity that calls attention to the barrio’s unjust marginalization and potential for collective action” (2004: 139).

Goldstein argues that “violence may play a critical role” (2004: 21) in non-state spectacles organized from below. In Montevideo, the *clasificador* marches sometimes verged on violent, such as one 2013 protest I attended against the exclusion of *clasificadores* from the city’s old town (*ciudad vieja*). One reason for this prohibition was that the municipality wanted to transform the old town into a spectacle for tourists, and ragged *clasificadores* were considered an eyesore who troubled the desired aesthetic. At the protest, the recycling workers responded with a spectacle of their own, spilling angrily into the municipal parliament, with some activists calling on others to “break everything” and fearful councilors scurrying into their offices. Union officials struggled to contain the anger of the participants and the preferred methods of some anarchist activists. At a subsequent meeting, views were split on whether such agitation had been useful. One female activist lauded the fear they had instilled in politicians and the release of “anger in the veins of the oppressed,” while stalwart *El Viejo* complained about a lack of organization and a failure to properly steward the march.

The question of violence in UCRUS marches highlights a tension in the way that the union sought to project itself in spectacles. In Goldstein’s case, “the Fiesta stands in metonymic relationship to the barrio as a whole, its coherence, size and precision supposedly corresponding to these same qualities in the larger life of the barrio itself” (2004: 174). Such metonymy was also sought by a significant section of the UCRUS, where an orderly spectacle highlighted the *clasificadores’* status as honest workers rather than criminals or vagabonds, and the position of the union as an organized and reliable partner. For others, however, the unleashing of disorder onto the streets, the “striking back of those who had been struck so much,” as one unionist put it, was a tempting option that could deliver results. For the most part, however, violence was neither organized nor “broke out.” Instead, other peaceful

ways of bringing those from the margins into the heart of the city were staged. On one march in late 2014, for example, young *clasificador* men began to play football on the normally sober municipal esplanade while delegates attempted to negotiate inside. This impromptu football match involved a subaltern appropriation of space, as suited municipal employees looked on askance from balconies above.

As Aguiar (2016) notes, “with any form of work, there are always people whose work goes unnoticed or is not formally recognized (cleaners, janitors, maids, and often parents, for instance)” (386). In some ways, *carreros* are intensely visible due to their mode of transport, their appearance, and their engagement with the city. Yet in other ways they are “invisibilized”: often forced to work at night and absent from the accounts of the Uruguayan recycling trade due to the informal nature of their labor. UCRUS’s “politics of the spectacle,” that is to say, the staging of dramatic marches, hunger strikes, and public chainings, sought to accentuate the visibility of workers in their sector. Such methods had varying levels of success. While the Intendencia was keen to avoid the disruption and media spectacle of the protests, the UCRUS often failed to consolidate gains in the subsequent negotiations.

Interestingly, a union focus on visibility was mirrored in sympathetic public policies originating from the Uruguayan Ministry of Social Development (MIDES). Its *clasificador* unit (the *Program Uruguay Clasifica* or PUC) sought to eradicate the stigma *clasificadores* faced and educate the public on the important ecological role that they carried out (PUC 2006, 2008). Yet there is an inherent tension between the Uruguayan waste trade and such a focus on spectacle and visibility, for the business relies on much being concealed. For example, when involved in a project which sought to depict *clasificadores* as superheroes in a pack of educational cards, some *clasificadores* recoiled in horror at the idea that per kilo prices of materials would feature. “Then people will sell things themselves rather than throw them away!”, they gasped. The concealment of value is only one aspect of this question, however, and in what follows I turn to the semi-clandestine practice of recycling work conducted at landfills, and the alternative labor strategies employed by workers who preferred to remain invisible.

### 3.4 Labor at the Landfill: Affect and Concealment

Drawing attention to labor practices at the landfill entails a shifting of scale from the UCRUS as a collective actor to the micro-strategies of individual *clasificadores*. Such a move exposes the limits of “spectacular politics” in the dark corners of the dump, partially explaining the estrangement between landfill *clasificadores* and the trade union seeking to represent them. Thirdly, it serves to demystify the position of workers at the landfill as “extreme individualists,” suggesting instead that they are engaged in constructing and maintaining collectives, albeit narrow ones. Thus, I argue, attempts to unionize and cooperativize the *clasificador* sector come up against not so much individualism, as rival configurations of the collective. Finally, in illuminating some aspects of landfill livelihood, we also shine a light on how

affect and concealment form part of the political toolbox used by precarious workers to gain access to the material underpinnings of their existence.

*El Gallego* was one *clasificador* whom I worked alongside at a Uruguayan landfill. I interviewed him outside his home, part of a small *cantegril* (shantytown) that lined the road to the dump and which had partly been fashioned from materials recovered from there. We were surrounded by hunks of oxidized scrap metal: dismantled machinery parts and fragments of construction purlers, rafters, and beams. Some were loose, while other parts had been bagged up in white woven polypropylene sacks, recycled from a previous life holding flour in industrial bakeries. *Gallego* was tanned and his skin also sported a thin layer of dust from a day's work at the landfill. His long eye-lashes gave him a slightly delicate and feminine look that jarred somewhat with arms that were taut and muscular from heavy lifting. I asked him how the police stationed at the landfill responded to his attempts to “*gatear*” (crawl) through the landfill’s fenced perimeter:

We had our mishaps alright. Chases? Every day. Reprisals? Every day as well. The police dog unit was stationed at one time. We endured alright! They would chase you and when you came back they had cut up all your materials or thrown them down a hole. In that case, you had to wait until it rained and the water brought them to the surface ... The police have hit me, shot at me, broken my cart ... they would leave us notes with insults and threats in our bags and in the trees. One time, the guards put my materials down a well and I had to get them out with ropes, because I had to put food on the table for my family.

Violence in Uruguayan landfills has a long history, and older *clasificadores* regaled me with tales of police horse pursuits, incarcerations, shootings, and even suspicious deaths. Despite the century-old history of the Uruguayan poor making a living from discards at the dump (Carrasco 1883), moves to create hygienic and controlled landfills in the last decades of the twentieth century led the presence of *clasificadores* at landfills to become an embarrassing “public secret.” On meeting a landfill director one day in front of his domain, he appeared to blame their presence on Uruguay’s unfortunate location in Latin America. “You’ll see the same anywhere in Latin American, I’m afraid,” he told me, resignedly, “there’s not much we can do.”

In some cases, a surprising coexistence (*convivencia*) has developed between *clasificadores* and municipal landfill workers, and experienced *clasificadores* navigate the spaces with relative ease, meaning few serious injuries occur. However, with hundreds of trucks entering and tons of waste being disposed of daily, the conditions at the landfills inevitably appear unsanitary and dangerous. As such, it is in both the municipal and *clasificador* interest not to disclose or draw attention to the presence of the recyclers. Outside visits to the landfills have to be organized long in advance: I was forbidden from taking photographs, and an Italian colleague who entered with a truck and began taking shooting images was quickly detained and ordered to delete them. In such circumstances, spectacular labor politics become an option of last resort rather than the everyday.

How did *clasificadores* maintain access to landfills despite lacking the tools of organized labor and given that spectacular acts of protest would, in most instances, damage the exercise of their livelihood? *El Gallego* is a good example of someone

who employs what I call a politics of concealment, where *clasificadores* use their wits to avoid the violence of the police. Creating holes in the fence, sneaking in at night when necessary, and hiding materials were all methods used to ensure a day's earnings. In previous years, cunning also included stringing wires to bring down pursuing police horses, running into water-logged areas that the animals could not cross, and hiding in trees. Strategies of concealment were used principally to enter the landfill without being seen—either by *municipales*, police, or a wider public—and were quite the opposite of the UCRUS's spectacular politics.

Not all *clasificadores* had to conceal themselves in order to enter the landfill however. While *El Gallego* was vulnerable to temporary exclusion (even if he was confident that he could always get back in), *Araña* had an arrangement with *municipales* at another landfill that gave him and his brothers exclusive access in the afternoons. I interviewed him on the stoop of his house, surrounded by sheets of plastic being dried for sale. In the back, two neighbors were up to their elbows in soapy suds, scrubbing the transparent nylon that *Araña* had brought back from the landfill. His dark skin, long black pony-tail, and a distinctly indigenous appearance he shared with his brothers were striking features in a country where, as Brazilian anthropologist Renzo Taddei recently put it, “Europeans were particularly effective at genocide” (p. c.).

*Araña* engaged in an effective politics in order to secure access to materials at the landfill: he built up friendships and trust with municipal workers over a long period of time, starting in childhood.

I worked with the father of the current foreman. His son was a kid like me back then and now his grandson also works at the dump. Three generations. Luckily, I get on well with all of them. The grandfather had a farm, a big piece of land. He had ducks, pigs, geese, lambs, a bit of everything. That was in the 1990s. They dumped trucks from the markets at the farm and we used to separate the fruit and vegetables for the animals. That's how I made friends with him: I worked for him, as they say. I got 7 or 8 boxes to take home to my mother and the rest was for the animals. It was a mutual agreement.

The blurred lines between work and friendship are evident when *Araña* asserts “*that's how I made friends with him: I worked for him.*” Yet certainly, these were friendships that he was proud of:

It's not just that I know the *municipales*—I have a friendship with them going back over 20 years. I've been to their house to eat; they've come to my house. You understand? It's something else.

As he moved into adolescence and adulthood, *Araña* began to carry out tasks for the *municipales* inside the landfill. He told me that he became skilled at *atracando*: deciding and instructing where trucks should dump as they entered the site. “Lots of the municipal workers at the landfill don't know how to *atracar*, you need to have a good ability ... and I've got it, I did it for over 20 years,” he explained. Many *clasificadores* had grown up in and around landfills, becoming familiar with its terrain, whereas municipal workers were alleged to be sent there as a punishment. Currently, *Araña* classified for himself rather than ordering the trucks, but he did help *municipales* to control access to the site. “*The landfill is controlled: by the*

*police, by the municipales and by myself,” he explained. “I’m in charge of stopping more people getting in, of letting the machines work, of people not getting behind the trucks, of them not arguing or fighting.”*

While the UCRUS struggled against municipal decrees that would prevent *clasificadores* from accessing materials and took an aggressive and antagonistic stance towards municipal authorities, Araña cultivated affective links with municipal workers: “*I had most contact with those who were in the rubbish,*” he told me, “*Unduraga, Ramón, Fernandez: dump foremen, atracadores, drivers.*” Through these links, he managed to gain access to some of the landfill’s most valuable waste. I am not suggesting that these friendships were purely instrumental, but they were certainly mobilized by Araña for certain ends, just as the municipal workers took advantage of Araña’s cheap labor, both inside and outside the landfill.

The threat of spectacular politics also played a role in reaching working arrangements. Both Gallego and Araña were convinced that they were being allowed to work freely at their sites because I interviewed them during an election year. Any attempt to exclude them would create a spectacle, drawing unwelcome media attention to an issue—waste—that was already a liability for the governing party. Allowed into the landfill, *gateadores* could be controlled. Excluded, there was nothing to stop them protesting or blocking the gates of the dump. “There’s not much trouble now, you see, but that’s only until the elections, because they don’t want us to block the road, for the TV cameras to come, and for there to be bad publicity,” Araña explained. As Leigh Star (1999) writes of foregrounding the infrastructure of another form of labor, “there is often a delicate balance … between making things visible and leaving things tacit” (1999: 386).

Evidently, Gallego’s politics of concealment and Araña’s affective politics operate at a different scale to that of the UCRUS. Although they are representative of other *clasificadores*, these are micro-strategies deployed by particular actors, while the UCRUS attempted to represent the interests of thousands of *clasificadores* and maintain their complex and messy access to waste. Both Araña and Gallego were estranged from the collective politics of the trade union. Yet rather than following a familiar trope of portraying informal sector recyclers as individual workers strategizing to maximize personal gain (Carenzo and Miguez 2010), I consider it more accurate to view these men as engaged in building alternative collectives across which waste or surplus material can be distributed.

The collective to which Araña distributed access to waste was quite clearly his kinship group, and more specifically, his brothers. He was the eldest and took a caregiving approach to his younger siblings, several of whom had problems with drug abuse, and struggled to find employment elsewhere. Gallego, meanwhile, invited his cousin and several young fathers from the neighborhood to work at the landfill in the months before Christmas, resisting complaints from others that competition for materials was becoming too fierce. “They all have the right to work, to buy presents for their kids at Christmas,” he justified. Gallego and Araña were thus not greedy anti-social figures but men who used their relative positions of strength to help collectives whose contours they themselves could specify and delimit. While Araña responded to the claims of his brothers and his responsibilities

as a sibling caregiver, Gallego chose to grant access to materials based on a criterion of worth which prioritized young fathers.

As a researcher at different landfills, I alternated between Gallego and Araña's methods for gaining access to the landfill, first sneaking in and letting officials assume that I was just another *clasificador*, then, when ejected by police, cultivating a relationship with municipal foremen who gave me permission to enter. As part of my doctoral research, I also worked at the Felipe Cardoso cooperative (COFECA), and followed workers there as they were incorporated into a newly constructed municipal recycling plant. The construction of these plants as part of a drive to formalize the recycling sector sought to make concealed transactions transparent and offered workers waged labor and social security, thus dramatically changing the potential for trade union activism. It is to this evolving landscape that I now turn in a final ethnographic example of collective waste-worker politics that draws together a discussion of precarity and labor organizing strategy.

### 3.5 Reconfiguring Struggle at the Aries Recycling Plant

The Uruguayan *Ley de Envases* (Packaging Law) was first approved in 2004 but only began to be implemented in Montevideo a decade later. The law involves a voluntary levy placed on companies that release non-returnable packaging into circulation in the economy and environment. This levy is collected by the Uruguayan Chamber of Commerce (CIU) and is then spent on wages and equipment for workers who recover and process recyclable materials in plants. In addition, the law constitutes an intervention seeking to formalize both the workers' status and the material transactions of the recycling sector. Several state actors play a role in the management of the plants—including the *Intendencia*, the Ministry of Social Development (MIDES), and the Ministry of Territory and Environment (MVOTMA), each with their own remit and responsibilities (PNUD and PNUMA 2012).

In Montevideo, implementation of the law led to the construction of four plants where 128 workers are employed, priority being given to those who had previously worked in the informal sector as *clasificadores*. The Aries plant was destined for the members of the *Cooperativa Felipe Cardoso* (COFECA) with whom I had been conducting fieldwork for several months when a transition to the plant began in March 2014. Changes included the payment of a monthly wage, a uniform, health and safety regulations, regular working hours and status as employees managed by an NGO. Formalization also meant entitlement to and payment of social security and hopes of increased earnings because materials could be sold directly to industry (IM 2015). The *Ley de Envases* entailed a reconfiguration of both labor and capital, because large swathes of informal sector intermediaries would be cut out of the recycling chain. It is important to note that the construction of the recycling plants was a state initiative and not the direct result of struggle by the *clasificador* cooperative and trade union movement. Workers at COFECA were told that the

municipal site out of which they operated would be closed, and the move to the plant was presented as a *fait accompli*. For workers, the creation of the plants thus represented an act both of progress and of dispossession, and this partly explains the fundamental ambivalence that characterized their relationship to their new workplace and status.

The old site of COFECA had certainly become run-down, with workers neglecting their responsibility, stipulated in agreements with the Intendencia, to care for facilities in exchange for the delivery of waste materials. The buildings were sprayed with graffiti and permanently scattered with random *rejectia*; the toilet facilities were unusable; the space was shared with stray chickens, cats, and dogs; and some of the more alcoholically-inclined *clasificadores* had taken up residence there. At the same time, the site functioned as an autonomous terrain over which *clasificadores* had complete control; a space of conviviality; and a refuge for male *clasificadores* who had been temporarily dumped by their wives. The contrast with the new buildings, shiny machinery, freshly painted walls, floral arrangements, and fragrant bathrooms of the Aries plant could not have been greater. The latter was unmistakably only a place of work, owned and operated by others, and guarded by private security.

My interest here lies in how this changing landscape of labor affected my COFECA/Aries colleagues' struggles in the workplace. The new plants were something of a model showroom, with implications for the possibility of engaging in spectacular politics. As workers began their first few months' labor, the Intendencia regularly brought different tour groups to visit, such as a class from a military college; various media outlets; the municipal-civil society environmental forum; and a visiting delegation from the Inter-American Development Bank (BID). Workers were rarely warned in advance of the visits and visitors would often snap away on cameras without asking permission. "What are we, a zoo?", my neighbor and co-worker Sara complained. From a situation of relative abandon near a city landfill, the sight of uniformed and gloved *clasificadores* working at a conveyer belt in Aries had become a spectacle of responsible, socially inclusive environmental and labor policy. Spectacular politics was contested between a municipal government that wanted to parade the recycling infrastructure as exemplary, and workers who sought to leverage their new-found visibility in order to improve conditions they found far from perfect.

A ceremony where workers received certificates for the formal sector labor training course they had completed provided an opportunity to enact this struggle. The media had been invited, and a panel featured representatives from the organizations involved in the *Ley de Envases*, including the Mayor of Montevideo, Ana Olivera. Consecutive speakers lauded the project and the huge steps that were being taken in the dignification of waste work. Eventually, a workers' representative was asked to speak and Nín took the microphone in front of the assembled crowd. He began by thanking the tutors for the course but moved on to eloquently enumerate a range of complaints about work at the plant.

"Just because we are working under a roof now doesn't mean that we don't have a right to a dignified salary," he complained, explaining that income from the sale of

materials had been delayed and was lower than expected due to the costs of formal sector sale. “We have a pile of black plastic which is just sitting there rotting and we can’t sell it because we don’t have a buyer from the formal sector,” he continued. Such a public denunciation, in front of the Mayor and assembled press, was too much for Fumaca, the Intendencia figure responsible for the plants’ commercial transactions and public relations, and he began a public rebuttal of Nín’s points. Naturally, Fumaca came off worse in this exchange, as Nín could present himself as a humble voice from the factory floor making a moral case about the difficulties of providing for a family on the minimum wage. The two sparred during the event and after, but by the end of the following day, all the stockpiled materials had been collected and sold.

Another opportunity to engage in spectacular politics was the creation of a mural at Aries depicting the workers’ transition to the formal economy. This was envisaged by the NGO plant managers principally as a “team-building exercise” that would highlight the advantages of formalized labor. The mural would also be seen by all visitors to the plant, however, and in a situation of ongoing workplace unrest, workers decided to take advantage of this by incorporating a series of demands and slogans into the mural. The process of mural construction also highlighted the new tools that workers had at their disposal in a context of formal-sector waged employment. Thursday was the day destined for workshops and classes but workers complained that they would rather be doing “real work,” and often gathered outside to smoke instead of participating. Yet whenever the mural activity involved getting their hands dirty and resembled the everyday labor of recycling—such as when they were to cut and clean materials to be incorporated into the mural—they refused. Such occasions of non-compliance and foot-dragging were sometimes comic, often frustrating, but in every case represented workers’ attempts to assert control over their own working day.

Most workers eventually became enthused by the mural, but as the date of its inauguration neared, they had become embroiled in another conflict over pay and conditions and availed themselves of another new tool. They went on strike, calling for an increase in wages and the granting of a Christmas hamper for each worker’s family. The day before the inauguration, the strike was called off, workers having obtained the hamper but not the wage increase. Yet, mindful of previous media humiliations and worried that *clasificadores* would use the visibility the mural launch afforded them to once again denounce pay and conditions at the plant, the *Intendencia* decided not to call the press. Such were the changing dynamics and recalibrations of spectacular politics as *clasificadores* were incorporated into the formal sector.

Both at COFECA and at Planta Aries, workers were often in conflict with their trade union. This was partly because the cooperative and the trade union were born out of the same struggle at the landfill and, due to a strange confusion, many cooperativists claimed the name “UCRUS” as their own. A deeper point of conflict, however, was that many COFECA workers resented the focus that the union placed on horse and cart *clasificadores* and their right to circulate and collect waste in the city. As a sedentary, landfill-based collective, their issues were different, and they

eventually refused to send delegates to any of the *marchas de los carros*. I was, for a while, the only person working at COFECA/Aries who attended UCRUS meetings and was often asked to give an account of workplace issues in lieu of any actual *clasificador*. When they moved to the Planta Aries, workers were also reluctant to nominate official union delegates. Instead, they sought to negotiate directly with the NGO plant managers and institutional authorities. When their campaign for Christmas hampers proved successful, some workers were aggrieved that *clasificadores* at the three other plants would also receive the benefit. Nín complained that it always seemed to be them who “stuck their neck out,” while others received benefits that they hadn’t struggled for.

The conflict between the union, which sought to represent and improve conditions for all *clasificadores*, and the COFECA/Aries group, which only fought for its members re-enacts a long-term dispute on the left between syndicalism and cooperativism (see Lebowitz 2006). This was made explicit when the acting President of the UCRUS visited the plant for a discussion with workers. Asked to participate in the union, one Aries leader pointedly refused, telling the President that his policy was to “first look after my own house, before worrying about anyone else’s.” At the next union meeting, the President reported this comment verbatim, bringing to everyone’s attention that there were those in Aries who were operating with a logic distinct from their own.

Note that the “house” evoked by the Aries worker is not that of an individual household but is rather transformed metaphorically into the workplace collective. Thus, just as in the cases of Gallego and Araña, the inclusive logic of the UCRUS found itself clashing not with greedy, individual *clasificadores* but with more restricted, differentially composed collectives. In this case, COFECA/Aries workers had, through years of common struggle and a commonly held resentment over what they saw as the union’s prioritization of *carertos*, developed a mentality that we might term “cooperative particularism.” Workers were capable of experiencing an affinity with *carertos*, other *clasificadores*, and the shantytown poor more broadly. But the task of developing and maintaining a sentiment of group identity and common interests was difficult enough at the level of the cooperative, and so workers had decided to limit the contours of their collective to the plant gates.

The “cooperative particularism” of the COFECA workers can be seen as a variant of “militant particularism,” a concept developed by Raymond Williams (1989), reworked by Harvey (1995). For Williams (1989), “militant particularism” referred to the strong place-specific solidarity and activism that prevailed in certain working class communities, such as the Welsh mining villages where he situated many of his fictional works. This local militancy could be either socialist or not, with the key question being how “the unique and extraordinary character of working class self-organization … has tried to connect particular struggles to a general struggle” (Williams cited by Harvey 1995: 32). Harvey explores this tension further through a close reading of Williams’ fiction, and uses it to productively

elaborate on a dispute between himself and a co-author over whether to fully endorse the position of shop stewards in a local Oxford car plant or to situate their demands in the context of the wider interests of the socialist movement.

Williams' framing of "militant particularism" might capture something of the spirit that characterizes *clasificadores*' neighborhoods. Rather than close-knit working-class solidarity, these might be seen as featuring strong territorial attachments, rebelliousness in the face of state authority and repression, and an uneven patchwork of support and abandonment. But the labor activism of landfill workers can provide an example of the "profoundly conservative" nature of militant particularisms because "they rest on the perpetuation of patterns of social relations and community solidarities-loyalties-achieved under a certain kind of oppressive and uncaring industrial order" (Harvey 1995: 91). The "cooperative particularism" of the Aries plant is not, however, necessarily tantamount to entrenched localism. When *catadores* from the Brazilian state of Rio Grande do Sul visited the plant, and when I organized a screening of Aynsley and Walker's (2010) Oscar-nominated film *Waste Land*, Aries workers excitedly made common cause with their Brazilian counterparts. They were happy to pragmatically scale-shift, shirking links with their national union but happy to embrace exchange with international colleagues with whom they were linked by a material culture and sensorial labor of waste work.

### 3.6 Conclusion

In the spirit of Scott's (1985) "weapons of the weak" approach, this chapter has used ethnography to draw out some of the tools and methods used by Uruguayan recycling workers in their labor struggles. It has focused on *clasificadores* operating at the different sites and scales of the sector-wide trade union, the landfill, and the formal recycling plant. The purpose of such an approach is in the first instance to draw out the different methods of struggle used, and to suggest that while spectacular politics might be useful in one arena, it can be inappropriate in certain dark corners of the waste trade. The focus also involves an explicitly inclusive approach to social analysis and labor theory. If informal, precarious workers are to be belatedly brought into the purview of labor studies, which had hitherto focused on formal waged labor and trade union collective bargaining, then a more inclusive conceptualization of what constitutes labor struggle is a necessary corollary. The politics of concealment and especially the affective politics that I have described here would no doubt elsewhere be dismissed as desperate individualism, cronyism, and clientelism. Yet regardless of their moral merits—and I don't believe them to particularly compromised—they form part of the toolbox of actions that *clasificadores* rely upon to gain access to materials, and are thus worthy of study and debate.

We have until now only indirectly dealt with the question of how effective these methods actually are. In fact, the UCRUS's spectacular politics seemed increasingly less effective, as the municipal government became frustrated with the union's radicalism and intransigence in negotiation. The governing *Frente Amplio* maintained a close, some would argue corporatist (Silverman 2011), relationship with the Uruguayan trade union federation, the PIT-CNT, and improved workers' rights meant reduced industrial action and protest. The close working relationship and quiet negotiations between other sections of the PIT-CNT and the Frente Amplio were arguably more successful than the methods of the UCRUS. As for the landfill *clasificadores*, they were certainly successful in gaining access, but this was only for a restricted group. I hope to have demonstrated that struggle at the landfill is not only undertaken for the benefit of individuals but as a form of collective politics. Activists and scholars might argue that the *clasificador* workforce, as a group commonly exploited by recycling capital, is the appropriate scale for conducting labor politics, and that association along particular family, neighborhood, or even cooperative lines constitutes an obstacle to a common emancipatory project. Even if this is true, however, it is important to understand the field in which trade unionists intervene, where the challenge, I suggest, is not so much the individual as the collective *clasificador*. The presence of competing collectives is yet another reason why the horse and cart marches were so important a method for the UCRUS: they made manifest, visible, and spectacular a city-wide "imagined community" of *clasificadores* (Anderson 1991), beyond the family and neighborhood.

Recent events have brought home how the distance between the UCRUS and *clasificadores* at the landfill and Planta Aries can be shortened in times of crisis and mobilization. In the everyday, workers at these sites did indeed mostly shun the union, either because spectacular labor politics did not serve their purposes, or because they preferred to operate at the scale of "cooperative particularism." But when they felt that conflict exceeded their metaphorical "house," they had no qualms about turning to the union. Thus, when the Intendencia recently recognized the presence of *gateadores* at the Felipe Cardoso landfill and threatened to expel them, landfill waste-pickers joined the union in discussions with municipal officials (Lopez Reilly 2017). And when the Planta Aries workers organized a march to demand the renewed payment of a transport subsidy, they joined forces with the union and workers from other plants, even if some still complained that others always benefitted from their militant initiative.

The case of the Aries workers is representative of the direction in which *clasificador* and recycling policy in Uruguay is moving: towards formalization. This Uruguayan dynamic bucks a global trend of informalization of labor and means that a new range of options for labor struggle have become available to *clasificadores*, such as foot-dragging, non-compliance and strike. Only with time will we come to know whether formal negotiation, spectacular protest, or perhaps even a return to the tactics of the landfill will be most successful method for formalized *clasificadores* as they seek to sustain their livelihoods and improve their pay and conditions.

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## Chapter 4

# Local Sweatshops in the Global Economy: Accumulation Dynamics and the Manufacturing of a Reserve Army



Jerónimo Montero Bressán

**Abstract** Sweatshops lie at the core of the fashion industry worldwide. While awareness about large sweatshops in export-processing zones is broad, little is known about small local sweatshops in large cities both in core and peripheral economies, employing migrant labour and supplying cheap garment to fast-fashion branded retailers. Having been left at the margins of this industry during Fordism, these ‘local sweatshops’ are back since the late 1970s. In these, working conditions range from precarious employment to forced labour. This chapter asks what does the return of local sweatshops mean for debates on unfree labour and capitalist accumulation. Through an analysis of the changes in the production and commercialisation of fashion clothing since the late 1970s, I show that the flourishing of forced labour during recent decades along the success of well-known brands and retailers, suggests that, far from being a pre-capitalist reminiscence, forced labour is not only compatible with capitalist accumulation, but it can also be critical for its survival. Following from this, responses from unions and community organisations are analysed, based on the case of anti-sweatshop activism in Buenos Aires. I conclude by showing that when the agenda against forced labour is taken by NGOs rather than by labour activists, class perspectives are largely absent and improvements are poor.

**Keywords** Forced labour • Sweatshops • Migrant workers • Workers organisation  
Fast-fashion

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## 4.1 Introduction

The neoliberal turn has been plagued with enormous attacks on the workers' conquests of the twentieth century. Proof of that is the growing existence of practices of forced labour and human trafficking since the late twentieth century. With its international sweatshops in peripheral countries and its 'local sweatshops' (Montero Bressán and Arcos 2017) in several big cities in both core and peripheral economies alike, the garment industry is one of the best examples to illustrate the extensive use of these practices.

To regain some of the power lost during the Fordist years, capital has embarked on a number of strategies, amongst which open repression to workers organisations, delocalisation of production to low-wage economies and employment of women and migrants in the core are critical (Harvey 1989). As a number of scholars have pointed out, subcontracting is one of the key strategies used to curb workers' power. Its use in the fashion industry has been especially beneficial for the largest companies, while seasonality and the strong elasticity demand undermine labour productivity, subcontracting to unregistered workshops allows fashion firms at the top of the chain to pay only for the job actually done through piece-pay. In a context of crisis of employment and relaxation of factory controls since the late 1970s, subcontracting to sweatshops became the rule rather than a marginal practice in fashionwear production.

Pitting workers at home and abroad against each other through international outsourcing have also been an effective means to undermine labour power in core countries (Smith 2015). In the fashion industry, 'the most globalised industry of all' (Bonacich and Appelbaum 2000), this has facilitated the dismantling of the largest factories and the subcontracting to not only low-wage economies, but also to small workshops located at home.

Delocalisation and subcontracting played a similar role to that played by state repression as a critical tool to contain strong workers' unions, as they led to a plummeting in union membership which hit unions' finances. In several countries, garment unions have indeed followed strategies to defend local businesses in seeking to protect jobs, highlighting the permanent limitations posed to these companies by 'foreign enemies'—low-wage economies abroad, and migrants at home—and keeping demands for better pay at a low level.

All too often the situation of migrants in local sweatshops accounts for conditions of forced labour, in which workers are victims of circumstances like debt bondage and full dependency on the employer while being in a foreign country without social networks. The recruiting process sometimes relates to practices of human trafficking, by which workers find themselves for instance without documents (retained by the trafficker) and/or unable to change employers given the debt they have with the traffickers.

Literature on this kind of sweatshops (Bender and Greenwald 2003; Bonacich and Appelbaum 2000; Camacho Reyes 2008; Canals 2013; Collins 2003; da Silva 2012; Gordon 2005; Green 1997; McGrath 2010; Mitter 1985; Montero 2011;

Montero Bressán and Arcos 2017; Morokvasic 1987; Morokvasic et al. 1986; Phizacklea 1990; Ross 1997, 2004; Skinner and Valodia 2001) agrees in that there is a ‘return of the sweatshop’ to several cities in which they had largely disappeared (especially London and New York), whereas others refer to the rise of sweatshops in recent decades in cities where they had not existed as such, despite a long history of exploitation of female homeworkers (cf. Camacho Reyes 2008 [Medellín]; Montero 2011 [Buenos Aires and Prato]; Skinner and Valodia 2001 [Durban]). The return (or the emergence) of these conditions, and their strong links to major fashion companies, questions assumptions about forced labour and other forms of ‘unfree labour’ as being reminiscences of pre-capitalist economies. In this chapter, I contend, following Brass (1999, 2009, 2011), that these employment relationships are compatible with capitalist accumulation. Moreover, in particular contexts, and provided certain structural conditions, they can be introduced by employers in order to undermine labour power through the employment of unorganised female homeworkers and migrant labour.

Resistance from workers in sweatshops is usually poor and rather individual. Part of the explanation lies in the fact that migrant networks may tend to work towards the defence of the ‘ethnic economy’, reproducing, naturalising and even defending labour exploitation as a cultural feature of the ethnic economy (cf. Montero Bressán and Arcos 2017). Militancy against these conditions comes from community organising and NGOs rather than from workers’ unions. Nevertheless, responses are highly context-specific, ranging from lack of struggles in Italy to the passing of progressive legislation stating the responsibility of companies in sub-contracting chains in California (Cummings 2014).

The findings shared here are based on my experience in the field as both an academic researcher and an activist. As a researcher, I have conducted over 150 semi-structured interviews with entrepreneurs, union leaders, workers, sweatshops’ owners and state officials along the past ten years, mostly in Argentina and Italy. As an activist, I was involved in one of the Buenos Aires-based organisations mentioned here (La Alameda) for 3 years and participated in the organisation of a justice campaign with the other Buenos Aires-based organisation (Simbiosis Cultural). Furthermore, I participated in the preparation of a regulatory framework in the Ministry of Labour of Argentina.

This chapter focuses on local rather than international sweatshops. It starts with a description of the actual working conditions in these and advances some definitions about the concepts used to refer to these (human trafficking, forced labour and unfree labour). Section 3 briefly analyses what does the return of local sweatshops in some core economies and their emergence in some peripheral countries mean for debates on unfree labour and capitalist accumulation. If forced labour—as well as a multiplicity of precarious labour relationships—has flourished during recent decades along the success of well-known brands and retailers, then forced labour is not only compatible with capitalist accumulation, but it can also be critical for the survival of capitalism. Section 4 examines the contexts in which sweatshops have emerged, referring to changes in the organisation of production and commercialisation of garment and their consequences over labour, with a mention to what I term

the ‘Zara model’ (2011) as a clear illustration of how companies relying on highly unproductive labour processes have achieved a great success. Following from this, responses from unions and non-union organisations are analysed. Here the case of Buenos Aires is emphasised due to its potentiality for rethinking activist approaches to forced labour and for nuancing debates about the adequacy of the concepts used to refer to these labour relationships. The case suggests that when the agenda against forced labour and human trafficking is taken by NGOs rather than by labour activists, class perspectives are largely absent and thus advances are poor. The concluding remarks bring out some key issues about the organisation of formal and informal garment workers in large cities across both core and peripheral economies.

## 4.2 Some Definitions on Sweatshops and Forced Labour

Press reports, court cases and fieldwork provide valuable information to understand what are the actual working (and living) conditions in local sweatshops. Cases that match the most widely used definition of human trafficking have been lately reported in cities like Prato and Buenos Aires. The most broadly used definition is contained in the UN ‘Protocol to prevent, suppress and punish trafficking in persons, especially women and children’. Known as the ‘Palermo Protocol’, its article three defines human trafficking as,

the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs (Article 3, subparagraph [a]).

Precisely in Italy, where the Protocol was signed, a TV programme broadcasted in the state owned RAI 1 (18/5/08) showed Chinese migrants sewing clothes for high-end fashion brands in sweatshops in the Province of Prato (Tuscany). Many of these workers had been approached in China and offered a job in Italy under certain conditions, but once in Italy, the traffickers retained their documents and forced them to work for specific employers until they were able to pay off a heavy debt—between €5.000 and €30.000. Labour inspectors I interviewed (20/6/08 and 25/7/08) pointed out that some workers are paid about €600 a month (i.e. two thirds of the bargain salary for a 40-h work week) and use half the salary to pay off the debt in instalments during 3 to 4 years. Likewise, in Buenos Aires, several clothing brands have been taken to court alleging that migrants were victims of human trafficking in sweatshops sewing their garment. According to PROTEX (2016), between 2008 and 2016, there were 11 verdicts condemning people on cases of trafficking for labour exploitation in sweatshops, whereas only in 2015 over a hundred people were charged for this crime and are now under investigation

(Ministerio de Seguridad 2016). The overwhelming majority of the workers are from Bolivia. Although the mechanisms of capturing, transporting, receiving and exploiting the workers do not involve a well-established international criminal network as they do in the case of Prato, deception and the end result (forced labour) work similarly. Workers are approached either by the sweatshops' owners themselves or a person in charge of capturing potential employees; they are offered a job in Buenos Aires, but on arrival, they may find themselves locked in the sweatshops and with a debt that is paid by means of working for no pay at all for the first three to four months.

Often the end result of human trafficking is forced labour. Indeed, scholars have highlighted the need to focus on this concept rather than on trafficking, as the latter favours its treatment as a migration rather than as a labour issue, and contributes to the invisibilisation of those workers who have not been trafficked (Anderson and Andrijasevic 2008; Skrivankova 2010). Forced labour is frequent in local sweatshops. The most broadly used definition is that developed by the ILO in its Convention Nr 29 (1930), which establishes that 'the term forced or compulsory labour shall mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily' (article 2). The critical elements of this definition are: the involuntary nature of the job and the menace of a penalty. The latter does not refer only to physical coercion, for it can also mean the loss of privileges or of rights, or involve other forms of legal, economic or psychological coercion. Therefore, the beginning of the employment relation might be voluntary and then give space to deceit, violence or retention of salaries or of documents, becoming a situation of forced labour (Arcos et al. 2015).

Evidence of these conditions is rather usual in local sweatshops. One of the most renowned cases was the finding of 72 Thai workers—mainly women—in a sweatshop in El Monte (California), in 1995. The workers were held by force; the place was surrounded by barb wire, and if someone tried to escape, their families back home could be murdered. They were sewing clothes for well-known retailers (like Anchor Blue and CLEO) and brands (BUM and High Sierra). Similarly, in Prato, the working and living conditions usually reported in sweatshops involve absolute disregard of the rules of health and safety, threats, long work days and doors locked, as in the case of a sweatshop where a fire killed seven workers in December 2013.

In the case of Buenos Aires, the trial about a fire occurred in 2006, which resulted in the death of five children and one worker (all of them migrants from Bolivia) showed that the workers used to live in the place with their families. There was one toilet for all the 64 people that used to live, there and there were no tables where to eat. Workers used to work for 15 h a day, and the pay was about 20% of the bargain salary (considering the amount of extra hours worked). The Ministry of Labour (2016) recognises the existence of about 50.000 victims of similar working and living conditions in the city and its surroundings.

This chapter also refers to the concept of 'unfree labour', which is a broader category encompassing forced and bonded labour, servitude and the like. The term

stems from Marx's (1970) analysis of the formation of labour markets, for whom labour markets in 'proper' capitalist economies require that those selling their labour power (the workers) must be free in two senses. On the one hand, they must be dispossessed (or 'freed') from the means to realise their labour power (the means of production) and, more importantly for our discussion here, they must be free from the control of a specific employer—i.e. free to sell their labour power to the best bidder. From this, it follows that economic or extra-economic constraints tying the employee to a specific employer for a period of time not controlled by the worker himself render the relationship into one of unfree labour.

Despite their extended use, these definitions are broad and fail to conceptualise coercion and exploitation with precision.<sup>1</sup> Indeed, there is a vast literature aiming to nuance existing definitions, in order to find ways of referring to the situation of the most exploited workers without invisibilising elements of exploitation and coercion found in legal labour relations. That said, it is beyond the intentions of this paper to review the adequacy of the concepts (see Strauss and McGrath 2017 for a good review). In this chapter, I refer mostly to forced labour, using the concept of unfree labour only when referring to Brass' (1999) arguments on the compatibility between it and capitalism. Therefore, these categories are used here as defined by the UN and the ILO, and for the sole objective of identifying some of the worst labour practices which allow employers to pay low wages (be it abroad or at home) and to undermine labour power more generally through the active manufacturing of a reserve army of vulnerable workers.

### 4.3 Accumulation Dynamics and the Return of the Sweatshop

Reports on the existence of local sweatshops in both core and peripheral countries are numerous. Since the mid-1980s, academic contributions by historians, sociologists, economists and geographers have addressed the 'return of the sweatshop' to large cities in the industrialised world. Already in the second half of the 1980s, Mitter (1985) and Morokvasic, Phizacklea and Rudolph (1986) dealt with the existence of sweatshops in London and Paris, whereas over the last 25 years several books focusing on the existence of sweatshops in London, Paris, New York and Los Angeles have been published (Phizacklea 1990; Ross 1997, 2004; Green 1997; Bonacich and Appelbaum 2000; Bender and Greenwald 2003; Gordon 2005). The majority of the authors agree in contending that there is a return of the sweatshop to

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<sup>1</sup>Sectoral extension agreements where contract terms in union workplaces are extended by government decree across a firm type in a given locality, or sectoral bargaining models where labour councils bargain with employers associations or representative firms and the terms are imposed across the sector. These models that have been used in different jurisdictions in Canada are still on the books in Quebec. Sectoral bargaining is still prevalent in the construction sector in Canada, where it was imposed by government to protect weak firms against strong unions.

these cities. According to Ross (2004: 26), ‘as early as 1979 the first reports on the ‘new sweatshops’ were in the New York press’. In the words of Bonacich and Appelbaum (2000: 2), ‘sweatshops have indeed returned to the USA. A phenomenon of the apparel industry considered long past is back, not as a minor aberration, but as a prominent way of doing business’.

This return of the sweatshop and of conditions of forced labour in the garment industry questions assumptions about the incompatibility between capitalist accumulation and unfree labour. More especially, it questions the unilinear, evolutionary assumptions of approaches considering unfree labour as pre-capitalist and destined to be superseded by the formation of labour markets with free-wage labourers offering their labour power in fully functioning capitalist economies. As noted by Carbonella and Kasmir (2014), over the past decades, there has been a move towards decoupling these working relationships, as well as the numerous forms of precarious labour that have developed during the neoliberal era, from capitalist accumulation dynamics; in this literature, these are portrayed as mere survival strategies of ‘disposable people’. (Bales 1999) However, as we shall see in this chapter, employers’ strategies to manufacture a reserve army of cheap workers in undoubtedly capitalist economies—like global production networks or local production supplying Zara’s stores—provides evidence to the contrary: In the clothing industry, unfree labour, as well as a whole range of precarious labour relations, has been not only compatible with, but also central to accumulation for—at least—the past four decades.

Arguments supporting the said incompatibility can be found, according to Brass (1999), in neoclassical as well as in some Marxist approaches. The latter have developed what Brass (1999) calls the ‘semi-feudal’ thesis. According to it, unfree labour is ‘a non-market (pre-capitalist) relation which prevents labour power from becoming and remaining a commodity’, entailing an obstacle to the formation of labour markets and to accumulation, which ultimately makes it ‘incompatible with the development of capitalism itself’. (Brass 1999: 163) These accounts, Brass notes, cannot explain the continuing existence of unfree labour relations in economies that are ‘undeniably capitalistic’.

Neoclassical approaches to forced labour consider these relations also as obstacles to accumulation. The survival of these unproductive economies, it is argued, is due to both old-fashioned, conservative employers, but also to the workers themselves, and since their little employment options drive them to accept these relations for the sake of the stability, these may offer (Brass 1999). Rational or ‘proper’ capitalist employers, allegedly, would seek to employ free labourers in order to increase their productivity and secure efficiency and low costs. It is hard to believe, if this is the case, that Amancio Ortega, owner of Zara and one of the three richest persons in the world, cannot be deemed as a ‘proper’ capitalistic entrepreneur.

By contrast, Brass (1999, 2009, 2011) argues that unfree labour is not only compatible with capitalist accumulation, but it can also be introduced by employers at any time, both in conditions of labour abundance or scarcity. In the former case, the reserve army provides employers with a pool of workers ready to accept

working conditions that tie them to a specific employer under abusive contracts. In the latter case, the introduction of migrant and female workers under conditions of unfree labour can be aimed not only at cheapening their labour costs but also at undermining workers' power where they are well organised (as can be the case when labour is scarce). In the words of Brass (1999: 164), 'in particular situations/contexts unfree labour is the *preferred* relational form of capitalist producers, since it enables them to segment the labour market, and also to cheapen/discipline and/or discipline their workers.' (my emphasis)

In order to nuance Brass' arguments—which are based in his long experience in agricultural economies—the next section deals precisely with the context in which firms in the clothing industry adopted strategies of reintroduction of forced labour.

#### **4.4 Fashion as a Problem for Workers**

*We believe that the apparel industry, as presently constituted, is exploitative at its core.*

(Bonacich and Appelbaum 2000: 22)

Since the early 1970s, a number of macroeconomic events have led to thorough reorganisations in the production and commercialisation of garment globally. Amongst others, reference must be made to the long economic stagnation of the 1970s, the increasing economic instability generated by the financialisation of the economy, and, more recently, the end of the multi-fibre agreement and China's accession to the WTO. While both large multinational-branded manufacturers and retail chains responded by moving production to low-wage economies, fashion companies—which require smaller quantities, quick response and tougher control of the production process—have survived and strengthened keeping part of their production at home by cutting labour costs through the mass introduction of female homeworkers and migrants in local sweatshops.

To survive to dropping consumption and growing competition over prices (Morokvasic et al. 1986), and to face increasing economic instability, fashion firms needed to create new markets, cut costs and reduce risks. This created renewed pressures over the alleged rigidity of the labour markets and over labour costs. It was around those years that several high-end fashion houses reduced or shut down their factories, subcontracting the labour-intensive phases (like sewing, ironing and packing) either to factories in the periphery and/or migrant-run workshops and female homeworkers domestically. This was the beginning of the proliferation of local sweatshops, a process facilitated by the relaxation of factory inspections as a means used by the state to protect local businesses in a context of stagnation, crisis of the regional economies and increasing international competitiveness.

The savings in production allowed companies to invest more in marketing and thus expand their markets. They invested huge resources in strengthening the image of their brands by means of an outburst of fashion magazines and events, as well as TV and newspapers advertisings. Additionally, they broadened the target of fashion

marketing, which had so far been limited to high and higher middle-class women (Lipovetsky 1994). The success of this strategy was notable, as illustrated by the example of Gucci, which within a decade of adopting this strategy became a large multinational corporation (Montero 2011).

In a few years, this growing marketing generated a massification of fashion which gave birth to fast fashion. As an Italian medium-sized entrepreneur (interviewed on 24/9/08) explained to this author, towards the mid-1980s this marketing had created a growing demand of fashionwear at prices accessible to middle and working classes: ‘there was a niche there, the possibility of selling what the *griffes* [high end fashion brands] were selling by copying their models and making it with cheaper cloth and lower quality and prices’. According to the interviewee, this was possible because of the local availability of cheap labour offered by workshops managed by migrants from China, which since the beginning of the 1990s started settling down in the Province of Prato (nearby Florence). This, always according to the said interviewee, was ‘the beginning of fast fashion’ (see below).

Fast-fashion companies favour an endless segmentation of the market and the shortening of fashion trends in order to stimulate demand. Colours and kinds of clothes go out of fashion within months. These tendencies on the side of the commercialisation, translate into very specific demands for the factory: small batches of strictly in fashion clothes, made quick and cheap. Such requirements are incompatible with mass production in large factories, but they can be satisfied by medium and small workshops. In the words of Morokvasic et al. (1986: 404),

where stability of products and longer series predominate, the production process is organised in larger units and the implementation of new technology has been profitable and therefore more frequent (Hoffman and Rush 1983). In contrast, where rapid fashion changes predominate and short runs are an imperative - and that has been more the case in women’s wear than in other sectors of clothing - the production process needs to remain very flexible.

Big factories located weeks away from the point of sale are dysfunctional to this kind of business. The brands and retailers need workshops located in the proximities of the markets to provide them with the necessary flexibility and speediness. However, the intensification of competition during the last decades puts pressure on the production costs and makes it difficult to pay legal salaries at home. The usual way to cut costs to remain competitive is to employ more female homeworkers and out of the records migrant labour through subcontracting clandestine workshops. In sum, only local sweatshops can cope with the demands of the brands and retailers.

The kind of fashion marketing developed during these decades also explains why the sweatshop needs to be close to the market, readily available to the brand. As an Italian businesses adviser (interviewed on 22/5/08) explained,

times have been compressed to such an extent in certain segments of textiles and clothing that there is a problem of incoherence between the time-scales of producing in China and the need to feed the stores under this new ‘philosophy of times.’ [Some retailers] change their windows every 15 days! So, to feed such a business model with goods produced in China is particularly complex, and hence there is the need to produce at least some of the goods domestically to provide the stores in Europe with the goods they need, in the times they need.

This ‘philosophy of times’ explains the need to keep production at an arms-length distance from the stores. Brands evaluate demand on a weekly or daily basis and activate orders to subcontractors accordingly. They need replenishment of the stores strictly adjusted to how is the season going, what is the weather like, what colours and garment are selling well, etc.

A useful example to illustrate this is the firm Inditex, parent to Zara, the largest multinational company in the garment industry. The company produces its commodity garment in low-wage countries like Vietnam (where it has a network of 130 suppliers employing around 150,000 workers) ([IndustryALL 14/11/2016](#)). However, at least a portion of the most fashion-sensitive garments is produced in the proximities of the large markets. What I have elsewhere termed the ‘Zara model’ ([Montero 2011](#)) consists of offering small quantities of models and designs in each store, rotating them permanently and setting low prices. The goal of this strategy is to tell the consumer that ‘what you see today in a Zara store will not be there tomorrow’, so ‘if you like something, buy it now!’ This commercial model is translated into the demand of small batches and permanent and quick replenishment of the stores to subcontractors. These demands make production highly anti-economic, since these garments are not mass produced, and thus, the unitary cost is high, but a third demand complicates this matter: Zara needs to offer low prices to facilitate consumption, and this means low pay to its subcontractors. Again, these demands can only be met by hyper-flexible workshops producing in record times at very low prices. Indeed, reliable sources confirmed to me the existence of sweatshops sewing for Zara (according to labour inspectors), whereas in São Paulo, the company was fined by the authorities, and in Buenos Aires, it is being investigated for subcontracting to sweatshops. H&M, as well as a handful of fast-fashion retailers, is expanding by following this model. With these data, it seems fair to assume that in the clothing industry no firm will get to the top without producing in sweatshops.

Faced with the impossibility to compete in the market of cheap and mass-produced clothing, manufacturers in core countries and in peripheral countries with relatively high labour costs moved to fashionwear production, a segment in which labour costs are marginal in the costs calculations of the firms. Their production is usually based in an intricate network of small specialised workshops producing small batches of garments and employing low-skilled workers, which is highly unproductive if compared to factories manufacturing large amounts. Still, companies have achieved a great success along the expansion of these unproductive economies. The explanation lies in the distribution of the value created, or in Marxist terms, the appropriation of more absolute surplus value in the hands of the largest companies. This distribution is achieved by the valorisation of the brands’ image—created through large investments in marketing and store locations—whereas the quality of the cloth used or the complexity or quality of the making of the garment are marginal in the calculation of the prices. Therefore, workers pay for the cost of this unproductivity by working extra hours for a pittance.

## 4.5 Manufacturing a Reserve Army

In factories in large cities producing apparel for the domestic markets, registered workers are amongst the worst paid of all industries. In USA, hand sewers and sewing machine operators are the worst paid of all industrial workers involved in manufacturing production (BLS 2017) (see footnote 1). This is the case for Argentina as well, where more than 50% of the total workforce—the least skilled workers—do not reach the poverty line. In Athens, where there is a vast sweatshop system based on the employment of—mostly—Bangladeshi workers, formal workers are generally paid on a daily basis, with no bargain contracts protecting them from the abuse of employers (Canals 2013). In South Africa, Skinner and Valodia (2001) point out that the availability of sweatshops in Durban has strongly affected the bargaining power of unions. Also, in Medellín (Colombia), the average salary in formal companies—excluding microenterprises, where salaries are even lower—does not reach the legal minimum wage (Camacho Reyes 2008).

In other places, a particularly vulnerable situation is that of homeworkers, who are mainly women paid on a piece rate and subject to sudden fluctuations in the workflow. Although female homework never stopped to be a crucial element in this industry (Green 1997), nowadays some of them are linked to international subcontracting through local factories that employ them to cut costs and cover seasonal demand of workers. A vast study on women homeworkers in Ahmedabad (India), Bangkok (Thailand) and Lahore (Pakistan) (IEMS 2012) showed that homeworkers paid on a piece rate earn, on average, USD 49 per month in Lahore, USD 71 in Ahmedabad and USD 170 in Bangkok.

In all of these cases, the links between the availability of large pools of informal workers locally and low wages in factories are clear. Indeed, evidence suggests that in these cases employers have introduced—or reintroduced—forced labour practices in order to undermine labour rights overall. By employing migrant workers in local sweatshops, employers force formal industrial workers to accept worse conditions. The availability of a reserve army of vulnerable migrant workers plays a similar role to that played by relocation.

Once under way, this process has little limitations to spread along the industry if workers' resistance is poor and state control is largely absent. Indeed, in several places, the employment of these workers under below-legal wages and dangerous working conditions has become the rule. It follows from this that formal workers become a rarity, a kind of labour oligarchy, while precarious workers, day labourers and vulnerable migrant workers become the rule, rather than entailing just a reserve army. As these conditions and these types of employment relationships become the rule, the former have no power to keep their 'privileges' and employers may lobby for the legalisation of precariousness. In other words, the manufacturing of a reserve army of precarious workers and vulnerable migrants in specific economic sectors could be the point of entry of new—worse—legal working conditions in the whole of the economy.

My research in the case of sweatshops in Argentina (Montero 2016) reveals likely intentions by employers. In the outskirts of Buenos Aires, there is a vast illegal outdoor market called La Salada, where people from all around the country go to buy very cheap clothing made in sweatshops (sometimes to resell it in small and medium stores). When I first conducted fieldwork in Buenos Aires in 2007/2008, employers (see footnote 1) unanimously identified La Salada as a major problem and blamed it of unfair competition. Only a few years later, in 2015, none of the 14 employers I interviewed identified it as a problem. Moreover, all of them avoided critiquing it, arguing that it provides jobs to thousands of poor people. I finally understood this sudden shift when an official from the Unión Industrial Argentina (the main employer's organisation) told me that 'La Salada is a very complex place; it solves the problems of thousands of people. We must find a way to provide a legal regulatory framework to what happens there.' Under the argument of legalising the market in order to 'make it visible' and facilitate its regulation, lies the intention to create a space where companies can routinely dodge labour laws (and tax regulations) (see footnote 1). Once these conditions become legal, firms would have few reasons for employing formal workers, especially in an industry in which the quality of the manufacturing processes has little value.

## 4.6 Responses to Abuses in Local Sweatshops

This scenario of replacement of formal industrial workers in large factories by workers in low-wage economies and migrant workers in small and medium local workshops was facilitated by weak opposition from traditional unions. In core countries, the constant threat of relocation leads workers to accept salaries and labour standards that they would have not accepted before. Furthermore, the plummeting of union membership affected the unions' finances. In most places, unions responded through strategies of survival, hence keeping the jobs at home became their main goal. This led many of them to join local manufacturers in defending local businesses, seeking to protect local capitalists from 'the threat of foreign enemies'—low-wage economies. In interviews in Argentina and Italy, statements made by union leaders in relation to the 'invasion' of cheap-imported garment were starkly similar to those of business chambers and employers. In the first case, a leader of the chamber CIAI was invited by the union to deliver a lecture in a training course for delegates, where he highlighted the difficulties faced by the employers due to the growing threat of cheap imports. The long-standing general secretary (interviewed on 15/02/08) limited the responsibility about sweatshops to 'a few unscrupulous entrepreneurs' and pointed out that public exposure of these practices is 'a way to undermine the reputation of local companies'. Similarly, in Italy, the vision of all the six union leaders I interviewed was—albeit to different extents—surprisingly similar to that of the entrepreneurs. Many of these arguments lie under a broad statement made by a leader of CISL-Tuscany:

until some decades ago, companies controlled the market, but today it is the way round: working conditions are determined by the market. If the market helps Italian firms, then we will be benefited. So, firstly we must make sure that our enterprises do well, because only when they do well we can push to get more benefits.

Even the union member who was most critical of local companies' practices (from CGIL-Tuscany) tended to justify them:

[high-end fashion brands] save in production to invest in image; that might affect working conditions, but if they do not do so then they run out of business, and for us to save the jobs and to be able to demand better conditions, companies must remain competitive."

Regarding the presence of thousands of Chinese subcontractors in Prato, two of the three union leaders interviewed (from UIL and CISL) identified the damage this causes to the image of the Made in Italy as a main problem, showing that the defence of the prestige of local companies is a goal that must precede that of the protection of the workers' rights. The idea behind this is that unions can only pose demands for higher salaries and better working conditions as long as the companies 'do well'. Unlike employers, who have actively undermined the strength of unions through the employment of out of the records migrant workers, unions see no connections between the defence of the rights of these workers and the possibilities to negotiate better salaries in companies that rely on local production.

The fact that collective resistance from migrant workers in sweatshops is largely absent creates a feeling of anger amongst formal workers towards migrant workers who accept lower wages. Discrimination against migrants adds up to this segmentation of the workforce that serves the interests of employers. In this context, unions create their own 'labour citizenship' and set the boundaries between those whose interests they protect, on the one hand, and those from the outside, who are basically seen as competitors to their 'citizens', on the other hand (Gordon 2009). In defining their citizenship, migrant workers have historically been left aside for the said reasons.

Pradella and Cillo (2015) mention efforts from the UK's confederation Trade Union Conference to unionise vulnerable and migrant workers, which led to a burst in unionisation of migrants (from 220,000 in 2000 to 1.2 million in 2011 [Caritas-Migrantes 2012; cited in Pradella and Cillo 2015]). Likewise, in the Americas union confederations have made progress during recent years towards the incorporation of informal and autonomous workers. (CSA 2015), but the incorporation of migrants is proving especially difficult. Scholars referring to these experiences agree in that union's involvement in the defence of migrant workers has been rather erratic. A usual rule in this sense is summarised by Gordon (2009: 44):

Destination country unions may be reluctant to initiate campaigns with migrants because they see them as competitors rather than fellow workers, and are concerned that migrants are taking scarce jobs and undercutting union wages. They may press governments to exclude migrants from the country rather than seeking to organize them.

Although this stance can be genuinely justified, letting it permeate union strategies only contributes to reproducing the matter. There are many reasons why migrant

workers' organisation is rare. Many of them are victims of mechanisms that have them virtually trapped in such situations. As they are scattered around the city's landscape in small workplaces, getting together and building a sense of common interests is extremely difficult (Lieutier 2010). The migrant condition strongly shapes their experience as workers; in this sense, Caggiano (2013) points out how for many of them, working in a sweatshop might be considered as a time of exception in their lives, in which their rights are put aside for a while and the hope for a better future makes them accept present conditions. Furthermore, Montero Bressán and Arcos (2017) show that in some cities migrant sweatshops' owners may develop strategies to naturalise sweatshop labour and to canalise any grievances amongst the workers towards the defence of the 'ethnic economy', against local contractors. Unions should recognise these realities and act accordingly, while acknowledging their own failures to stop the process of replacement of their membership by non-unionised migrant workers and female homeworkers.

Responses to these processes vary greatly across the world, despite the commonality of weak union involvement. An interesting case is that of the USA, where anti-sweatshop activism combined struggles about working conditions in developing countries as well as at home, linking both realities. In tracing back the genesis of anti-sweatshop activism in Europe, Canada and the USA, Bair and Palpacuer (2012) highlighted the critical role that in the USA the garment union UNITE and the confederation AFL-CIO played in the first scandals of exploitation in Nike's sweatshops abroad. Indeed, they contend that 'USAS [United Students Against Sweatshops] was founded with UNITE's strategic and financial support in spring 1998' (Bair and Palpacuer 2012: 20), a fact also pointed out by Featherstone (2002) and Ross (2004). Nevertheless, the focus of USAS was largely on international sweatshops, and its connection to local sweatshops was rather poor. The same is valid for the Worker's Rights Consortium, which was founded mainly by USAS members.

Despite disagreements about the extent to which unions were involved in anti-sweatshop campaigning in the second half of the 1990s, in his detailed analysis of the formation of a movement against local sweatshops in the wake of the Thai workers case in Los Angeles, Cummings (2014) plays down the involvement of unions and highlights the labour activism from community organising, NGOs and progressive labour lawyers, who in his view lobbied for the passing of new legislation regulating subcontracting in the garment industry and making the brands and retailers accountable for the working conditions along the whole production chain. In Cummings' own words,

many of the most innovative and prominent efforts to organize low-wage workers, for example, have not been formally allied with organized [labour], but rather have grown out of more traditional community organizing, or developed in connection with groups focused on civil rights, immigrant rights, and welfare. (:5)

In Prato, despite a few isolated denunciations by migrant workers to Italian authorities, no initiatives for stopping sweatshop labour have yet emerged. Clean Clothes Campaign, the main European anti-sweatshop organisation, included this

case in its large research on working conditions in the fashion industry, conducted between 2013 and 2014, as part of its living wage campaign for Europe. However, no concrete actions have been taken in defence of migrant workers in these sweatshops.

## 4.7 Lessons from the Anti-sweatshop Movement in Buenos Aires

Anti-sweatshop activism in Buenos Aires involves practices from two different perspectives. While one organisation active in the field has taken the anti-trafficking agenda promoted by international institutions uncritically, another one favours strategies of workers' empowerment, following postmodernist standings. The lack of labour activism seems to explain partially the limited advances of the anti-sweatshop agenda after one decade of dedicated militancy.

Unions are not at all involved in the fight against forced labour, which has rather been taken by social movements. Only recently (2012) the Confederación General del Trabajo (main union confederation) started the National Campaign Against Slave Labour and All Forms of Labour Exploitation, which gave birth to the Forced Labour Observatory (see footnote 1). However, the fact that the garment and agriculture workers unions do not participate in it, render it into little more than a good intention, despite the potential that the involvement of a confederation in the struggle against forced labour entails. Garment unions did not even make public statements in the two occasions when workers died in fires in sweatshops (in March 2006 and April 2015).

Actions are rather held by La Alameda and Simbiosis Cultural. The former was born in 2001 as a neighbourhood assembly and gradually became an anti-trafficking NGO that combats 'slave labour' in the country (see footnote 1). The latter emerged in 2007, and its members are young migrants from neighbouring countries—especially from Bolivia—some of which are former workers in informal workshops. La Alameda's strategy consists of putting pressure on the state to penalise sweatshops and their contractors, and to apply policies to stop human trafficking. In so doing, it has taken over a hundred brands to the courts for subcontracting to sweatshops. It has a highly successful strategy of media attraction, based on the use of the terms 'trafficking' and 'slave labour', which appeal to the moral outrage of the middle classes who are horrified by the existence of 'slaves' just around the corner. This strategy is what confronts these two groups, and brings out a number of issues related to academic debates on the anti-trafficking agenda.

The use of the categories 'slave labour' and 'human trafficking' has been widely condemned in academic writings. For instance, Anderson and Andrijasevic (2008) contend that the agenda of trafficking contributes to the 'depoliticisation' of the debates on migration. In their words, 'the moral panic over trafficking is diverting attention from the structural causes of the abuse of migrant workers' (e.g. the ways

in which the state ‘constructs groups of non-citizens who can be treated as unequal with impunity’ (:135). Agreeing with Anderson and Andrijasevic, O’Connell Davidson (2010) adds that these same ‘extremely conservative moral agendas’ can also be used to justify and naturalise ‘proper’ capitalist exploitation of ‘free-wage’ workers by presenting these relations as starkly different from slavery. The image of the trafficked slave is used to ‘reveal the moral virtue of the modern, civilized, liberal subject’ (:256) and to hide ‘the continued imposition of extensive, forcible restrictions on individuals deemed to be “free”’. (:245) Setting a clear distinction between ‘free’ workers and ‘slaves’ favours the fragmentation of the—albeit increasingly complex—working classes (Carbonella and Kasmir 2014), while the fight against ‘slavery’ is taken by community rather than labour activists. A further problem the author points out is that actions by anti-trafficking organisations build on a vision according to which groups of modern, civilised and liberal subjects ‘save’ workers incapable of getting organised. This is precisely the main point of disagreement between La Alameda and Simbiosis Cultural. Members of the latter argue that treating the sweatshop workers as victims—or as ‘slaves’—instead of considering them as workers, serves the interest of La Alameda in presenting itself as their ‘saviour’. It also makes the workers reject anti-sweatshop activism because they do not see themselves as ‘slaves’ and find that definition derogatory. In the words of one of its leaders (Juan, interviewed on 2/7/15), ‘if you say that they are slaves, you are infantilising them, as if they were children incapable of understanding that they should not be doing what they do, and incapable of getting organised.’

Instead, Simbiosis understands that solutions must come from the workers themselves. Its activities are broadly aimed at moulding the migrants’ conscience towards the problematisation of working and living conditions in the sweatshop economy, as opposed to the strategy of naturalisation of such conditions held by the large sweatshops’ owners through their organisations. (cf. Montero Bressán and Arcos 2017) This resembles the postmodern arguments about workers’ empowerment as the starting point to reach real achievements. Accordingly, activism must focus on the empowerment of the subjects directly involved in the matter. Listening to the workers’ voices and fuelling workers’ democracy are essential to building self-confidence amongst them and to strengthening their power to negotiate better working conditions with their employers.

Certainly, any initiatives to stop forced labour will most probably fail without the involvement of the workers themselves. Conflicts with the ‘empowerment’ thesis arise, however, when empowerment comes with the sole intention of it (Brass 1999), as when small acts of ‘resistance’ are overstated and taken as evidence proving that the workers, far from being victims without agency, can negotiate working conditions, and they do so on a daily basis. In postmodern writings that further develop these arguments, all ‘bottom-up’ practices have the potential to radically transform existing labour relationships, because the workers’ voice and actions are considered as the only source of true democratic will, as essentially well-intentioned and free from any stranger forces (i.e. top-down impositions from undemocratic union leaders). As Brass (1999) points out, ‘anything and everything

associated with its grassroots manifestation ... automatically becomes the embodiment of democratic expression'. (256) Taking this argument further, and building on a relativist point of view that rejects imposing one morality over the other, postmodern scholars see the development of ethnic economies as potentially promising for empowering workers through the construction of a 'cultural otherness'. (see Prakash 1990; Gago 2015) This is precisely the discourse used by sweatshop employers in their strategy to canalise the workers' grievances towards the defence of the 'ethnic economy' (Montero Bressán and Arcos 2017).

Postmodern approaches largely followed by Simbiosis Cultural build upon profound anti-union feelings. As most of the chapters in this book show unions must surely redesign their strategies in order to ensure the involvement of the workers. In their traditional organisational form, they may even be obsolete for the defence of workers in the informal economy (Atzeni 2016). However, taking the workers' opinions uncritically carries serious risks. First, those following this approach would argue that in contexts where workers resistance is poor, we should ask ourselves whether labour practices should be condemned. Following these arguments, talking of 'forced labour' in these cases may become a Western prejudice imposed through mainstream international institutions. And second, if workers' visions are moulded by a number of factors—as they certainly are—this approach 'fails to ask precisely how [the views of the workers] are constructed, by whom and for what political ends' (Brass 1999: 257).

This chapter has already dealt with the reality of sweatshop workers, which is one with certain particularities definitely not shared by workers in registered factories. Workers in sweatshops are strongly limited in their economic possibilities (see footnote 1), some of them are threatened and every day they are told by their bosses and by the leaders of migrant communities that there is nothing fundamentally wrong with sweatshop working conditions, and that any complaints should be directed to the local—'Argentinian'—contractors (cf. Montero Bressán and Arcos 2017). If the sweatshops' owners have created their own organisations and developed strategies to influence the conscience of their workers, rejecting the involvement of activists or union representatives attempting to counter the effects of these strategies very clearly serves the interests of the entrepreneurs, and contributes to reproducing labour exploitation, both that of workers under forced labour relations and those in factories, who are rendered unnecessary for the employers as long as there is a large pool of cheaper labour locally and/or internationally available.

The case of anti-sweatshop activism in Buenos Aires shows, therefore, that when labour issues are not approached from a labour perspective, advances to stop exploitation are rather poor. Despite a decade or so of dedicated militancy, the lack of union involvement and labour activism, the lack of clear state responses, as well as the limitations of the anti-sweatshop social movements, illustrates the complexities involved in the organisation of workers who are victims of forced labour. With its rather moral approach, La Alameda has failed to organise workers despite having a (small) union branch dedicated to this. Simbiosis has also failed to generate mobilisation within the migrant economy, partly due to its cultural approach. The latter has rightly pointed out that workers will not listen to anyone calling them

‘slaves’ and aimed at ‘rescuing’ them. However, the starting point of action towards building organisation amongst these workers is to acknowledge that they are victims of mechanisms that have them trapped into situations that are hard to escape, to understand how these mechanisms keep them unorganised and to develop strategies to dismantle these mechanisms.

## 4.8 Conclusions

Local sweatshops producing cheap as well as expensive fashionwear populate big cities in core and peripheral countries alike. They were born with the neoliberal turn. If delocalisation, subcontracting and the introduction of precarious contracts are part of capital’s strategies to redistribute wealth on its favour, the garment industry has gone beyond: trafficked migrants subjected to forced labour, toiling in clandestine workplaces, sew the garment sold by multinational manufacturers and retailers.

In a context of growing unemployment and labour precarity, outsourcing to low-wage economies and the return of massive local subcontracting to small workshops led to the development of sweatshop economies. Well-paid industrial workers in core countries have been replaced with collectives of unorganised workers (women and migrants, and most especially the combination of these two), who find themselves subjected to conditions that account to the ILO’s definition of forced labour. While 130 years ago subcontracting in garment production was generally understood as a strategy for making the workers sweat (the infamous *sweating system*), it is today embedded in all economic sectors as a major production strategy. It is rarely regulated and way far from being banned.

Trends in the garment industry show that there is nothing extraordinary in the joint functioning of unfree labour relations and capitalist economies. Forced labour (a form of unfree labour as used here) was reintroduced in this industry since the 1970s, and in several places, it has gradually become the rule rather than a marginal practice. This has dragged down working standards in the whole chain and allowed companies based in core economies and in peripheral economies with high labour costs to keep some production at home. The generalisation of practices of forced labour entails a serious risk for all workers: If formal jobs in factories are the exemption, employers may in short push for the legalisation of conditions now considered unacceptable.

The agenda for stopping exploitation of migrant workers in sweatshops has been taken rather by anti-trafficking and human rights NGOs with no tradition of workers’ organisation, which in some places has resulted in limited advances. An exemption of this is the broad anti-sweatshop movement in Los Angeles, which at the beginning of the century combined community organising, migrants’ rights organisations and labour activism and made important steps to stopping irresponsible subcontracting to local sweatshops. However, an illustration of the contrary is the case of Buenos Aires, where anti-sweatshop activism has encompassed two

different approaches and has gained broad recognition but has nevertheless made little progress.

The Buenos Aires case is also illustrative of the limits to existing activist approaches towards trafficking and forced labour. As said, two organisations with different strategies exist. On the one hand, La Alameda appeals to the moral outrage that human trafficking may cause to the well-intentioned middle classes who are horrified by the existence of ‘slaves’ just around the corner. This strategy has given the NGO broad recognition and has proven successful in attracting media attention, but concrete steps to dismantle sweatshops have been poor. Simbiosis Cultural has rightly pointed out that the discourse of ‘trafficking’ and ‘slavery’ fails to gain empathy amongst the workers themselves, who feel patronised by groups who present themselves as ‘saviours’. Indeed, denunciations of trafficking have resulted in the adoption of sudden top-down policies like the shutting down of sweatshops, which has driven the workers to defend their employers in order to keep the jobs. Instead, Simbiosis argues that workers should be considered as workers with the potentiality to get organised, and their empowerment is the starting point to build a movement to stop sweatshops. However, a number of constraints typically faced by these workers keep them unorganised.

If it is true that workers deemed as ‘free’ also face significant restrictions to their freedom—as argued by O’Connell Davidson (2010)—the lack of resistance in sweatshop economies is a result of a whole set of strategies developed by their employers—from sweatshops’ owners to large brands. These strategies are different from those usually faced by formal workers in factories. Amongst others, we can mention the division of the labour process into thousands of small workplaces scattered around the cities; the blurred responsibilities of companies acting in the long subcontracting chain; the development by the largest sweatshops’ owners of a discourse of cultural belonging, in which working conditions are seen as an ‘ethnic’ form of work; the offering of housing, the retention of salaries; the threats to workers who may attempt to leave; and even the violence against groups trying to organise workers. Workers’ empowerment in this context requires class solidarity from other groups—not least their fellow garment workers in registered factories. In so doing, the discourse of ‘victimhood’ could be avoided—as suggested by recent literature on the issue—but the mechanisms that keep the workers unorganised and allow employers to count with a vast reserve army and pit workers against each other to stay competitive and increase their profits, must be clearly identified and dismantled.

If the organisation of garment workers during the first half of the twentieth century greatly contributed to wiping out the sweatshop in New York, the lack of organisation today, in a context of renewed neoliberalisation of the states after the 2007/8 crisis, points to the further development of these economies. In the wake of the change of millennium, Bonacich and Appelbaum (2000) argued that ‘the way apparel production is organised is a predictor of things to come in many industries and portends the expansion of the sweatshop’ (:14). Since then, national and international bodies like the US Department of State and the UN have been pointing out the continuous rise of human trafficking and forced labour all around the world.

States can help fighting these practices through improving contextual conditions (e.g. banning subcontracting in this industry, protecting the workers from employers' violent responses), but it is only the organisation of sweatshop workers themselves that can once again seal the end of the sweatshop. Rethinking strategies and sharing experiences, as this book intends to do, are a necessary step in the building of class solidarity between formal, precarious, autonomous and coerced workers.

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# Chapter 5

## Labour Politics and South African Retail Workers: Enduring Collectivities in the Face of Precariousness



Bridget Kenny

**Abstract** Examining retail workers, one of the most precarious workforces within South Africa, this paper asks why workers have consistently maintained a politics around the workplace. It interrogates how and why in the context of intensifying precarity, and the resulting fragmentation of the labour market through casualisation and subcontracting, retail workers themselves sustain ongoing attachments to a collective labour politics. This paper critiques labour sociology which seeks out ‘spectacular’ protest or which explains labour politics in terms of bargaining power. It argues that both strands offer teleological explanations of worker action and political aims. Through research covering twenty years of work with retail workers in Johannesburg, as well as a focus on several sites of current retail labour politics in Massmart/Wal-Mart subsidiaries, this paper shows the persistence of workers’ collective political subjectivity in Johannesburg stores. Forms of action and collective subjectivity endure in complicated relation to the trade union. Retail workers’ labour politics within this local labour market offer us a context in which to trace the constitution, reproduction and contradictions of class identities under conditions of precariousness, which build from the concrete to explain workers’ experiences and labour politics.

**Keywords** Retail · Labour politics · Precarious labour · Wal-Mart · Massmart

### 5.1 Introduction

The Marikana Massacre—the killing of thirty-four striking mineworkers by the South African police on 16 August 2012, ostensibly to end a bitter strike of the workers against Lonmin platinum mines—and its wake of more strikes in mining and other sectors has dramatically reminded us of the significance of trade union

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and worker politics in South Africa (Sinwell and Mbatha 2016; Chinguno 2013; Alexander 2013; Wilderman 2017). Followed by the metalworkers union, the National Union of Metalworkers of South Africa (NUMSA) strategic reorientation towards an independent union polities and the split within the Congress of South African Trade Unions (COSATU), with the formation of a new federation the South African Federation of Trade Unions (SAFTU), worker organisation within South Africa continues to prove that, even as debate rages about forms of organisation, labour politics remains meaningful (Nieftagodien 2017; Luckett and Munshi 2017; Ashman and Pons-Vignon 2014).

Much analysis of labour politics in South Africa has focused on trade union politics, and often in the post-apartheid context, on Alliance politics (the relationship between COSATU and the ruling African National Congress (ANC)) or, more recently, new organisational formations in relation to this political context (Bezuidenhout and Tshoaeedi 2017; Sinwell and Mbatha 2016; Gentle 2015; Buhlungu 2010; Adler and Webster 2000; Bramble and Barchiesi 2003). By contrast, this chapter discusses retail workers' politics as it has taken shape sometimes through unions and sometimes not over the past twenty years. It focuses on tracing what abides within workers' collective subjectivity and actions. I refer to this as labour politics (with a lower case "l"). I argue that even as working-class politics has taken multiple forms over the past twenty-three years of the post-apartheid period (see for comparison, Naidoo and Veriava 2005; Desai 2002), these precarious retail workers persisted in struggling around workplace relations. While retail workers' collective efforts were often not visible, they have continued to define their labour politics relationally, contesting authority of managers and racism therein. The chapter concludes by considering these efforts against their effects.

In South Africa, retail workers have organised through a union, the South African Commercial Catering and Allied Workers Union (SACCAWU), which was militant and active in the anti-apartheid struggle (Kenny 2018a; Mashinini 1991; Forrest 2005). Yet, retail workers still represent on the whole, a low wage, precarious workforce. This chapter examines the endurance of workers' shop floor-level politics in the post-apartheid period, sometimes with support of their union, sometimes through branch-level relations quite isolated from higher-level union structures, and sometimes through their own ad hoc structures.

Retailers have used flexible labour, most importantly altering working time and lowering wages. Wal-Mart's 2011 acquisition of South African listed Massmart Holdings, Ltd., is part of these trends (Kenny 2014). Retail capital actively constitutes the South African political economy, linking growing inequality to increasing consumer debt (James 2015). In these times when the "consumer" becomes a new public figure, representing the promise of participation and of identity, on one hand (Iqani 2016; van Staden 2015), and resistant citizen demanding state services, on the other (von Schnitzler 2016), South African precarious retail workers retain a politics of labour.

## 5.2 Labour Politics: The Limits of the Spectacular and the Strategic

I briefly consider two dominant framings of workers' politics in South Africa, what I call the "spectacular" (after Ndebele 1986) and the strategic. Both represent methodological approaches that begin from related notions of totality as overarching, as transcendent (see Hart 2016, 2008; Sayer 1987). Those reproducing a 'spectacular' analysis work by explaining similarities and differences in workers' organising or mobilising as variations of their relation to a prior structure or totality (e.g., neoliberalism). Those engaging in strategic analysis use discrete cases of workers' efforts to produce models of abstract leverage. Using Hart (2016) to help me unpack the similarity of these logics, I first outline the spectacularising of worker politics and then I turn to the strategic analysis.

Writing about South African literature in what became a ground-breaking piece, Ndebele (1986) questioned how the spectacular characterised the mode of writing about politics in South Africa under apartheid: "The visible symbols of the overwhelmingly oppressive South African social formation appear to have prompted over the years the development of a highly dramatic, highly demonstrative form of literary representation" (Ndebele 1986: 143). He continued, "It is the manifest display of violence and brutality that captures the imaginations of the spectators" producing portraits of the "mind-bogglingly spectacular" (Ndebele 1986: 143).

Ndebele (1986: 144) argued that in this type of representation, the form supersedes the content: "There is very little attempt to delve into intricacies of motive or social process. People and situations are either very good or very bad". Instead of engaging with the messiness of real relations, he found in this type of narrative that "The glaring contrasts are put there before us together with the very *obvious* explanation for their existence" (Ndebele 1986: 146, italics in original). And thus, they follow a form in which "the ritualistic enactment and the drawing of significant meaning" is centred around the assertion of "justice" in often heroic ways (Ndebele 1986: 146).

This mode of analysis, too, characterises some scholarship of the South African labour movement and social movements. Thus, a typical focus on the visible and spectacular protest of working-class and poor South African residents can be identified in such teleological categories like "rebellion of the poor" (Alexander 2010) which links diverse local protests to claim a wave of revolt against neoliberal state power (Paret and Runciman 2016). It can also be seen in recent arguments that Marikana marks a resurgence in labour politics (Alexander 2013; Bond 2013). Thus, Marikana becomes a "turning point" which makes visible underlying structures which "have their own dynamics, with internal contradictions and logics that push them up against other structures" (Alexander 2013: 606). Thus, a significant "event" such as Marikana is read as an unfolding of structural conditions.

This approach focuses on the visible protests that "erupt" onto landscapes. Often it posits a just fight where workers (or the poor) are heroic, and is breathless in its language: "[The Marikana Massacre] has also demonstrated that ... workers

continue to be a powerful and creative social force in South Africa” (Alexander 2013: 617). Finally, it seeks to make political claims through homology of struggles across contexts—such that different strikes are gathered under the single root cause of “Marikana” or self-evidently explained by “precarity” or neoliberalism: “while these struggles may take different forms, have different goals and differing politics, they are connected through the way in which they express the materially situated lived experiences of marketization” (Runciman 2017: 41).

My argument is not that the Marikana Massacre was inconsequential; it was and continues to be, indeed, deeply significant within South African politics. Instead, I suggest that a focus on the spectacular protests of labour or social movements by left scholarship in South Africa itself hides the enduring yet often invisible labour politics of many workers, in ways that make it harder to explain that labour politics. As a basic effect, I argue, this focus on the spectacular carries the perhaps unintended consequence of disarticulating struggle from longer historical relations in place.

Thus, following Ndebele’s insights, a focus on the spectacular—with by necessity, “visibility” being a central feature—risks misunderstanding the rather more long-term and everyday politics of workers across the country. This approach runs the risk of obscuring the slow, everyday labour politics of many workers on the ground, which are often more contradictory and confounding than a heroic struggle narrative allows. As Ndebele (1986: 147) writes, “the complete exteriority of everything: the dramatic contrasts all over the story, the lack of specificity of place and character so that we have spectacular ritual instantly turned into symbol, with instant meaning (no interpretation here is necessary: seeing is meaning) ...”.

Such a “spectacular” framing can be usefully understood to be an example of what Hart (2016: 6) outlines, following Philip McMichael, as a form of “encompassing comparison”, where seemingly different experiences are shown to be the consequence of their relation to the presumed whole. In earlier work Hart (2002) referred to this as the “impact model” where a generalised (abstract), often “global”, force manifests in particular localities with analyzable effects (and see Hart 2016: 4). Thus, such analysis does not explain the constitution of “multiple interconnected” processes of “everyday life” (Hart 2016: 5), but rather how examples signify responses to the same overarching phenomenon.

The second dominant way of explaining labour politics, which I want to consider, offers an analysis of “new” forms of organisation. These studies typically examine a successful organising or mobilising effort by workers. These “innovative” organisational forms (marked by their successes) are then explained by identifying a form of “power” that workers must have had to have organised (successfully). Thus, “power” is defined in strategic (instrumental) terms, as bargaining power or as leverage, which tautologically explains the success.

This growing literature usually begins with Silver’s (2003) elegant incorporation of Wright’s (2000) discussion of forms of bargaining. Examining class compromise, Wright analytically differentiated two main axes of power—structural and associational power—that workers could put to use in bargaining. The form of power identified is instrumental to the success of the effort in each context.

The logic of analysis is strategic. Workers' struggles are described, and often contextualised, within their respective changing political-economic contexts; such studies become cases in which the "strategic" leverage is abstracted as a model of workers' power to be used prescriptively in other contexts (Webster et al. 2017: 15). This standard sociological framing offers cases in order to identify strengths within union and worker politics in diverse contexts for activists and movements (see for a range, Webster et al. 2008; Chun 2009; Selwyn 2012; Agarwala 2013; Bonacich and Wilson 2008; Zhang 2015; Webster et al. 2017).

To return to Hart (2016: 6), the logic of such a method follows "analytical comparison". Again, using McMichael, Hart explains that in this method, cases are abstracted from time and space and compared, often as bounded units, to produce an abstract model—in our case of bargaining leverage. The studies look for successes often to make prescriptive/normative arguments in relation to trade unions (Webster et al. 2017). Thus, while these studies enable comparison of discrete organising phenomenon as symptomatic of an abstract premise ("leverage"), such a starting point does not enable a way to study less successful examples and to study continuities and contradictions internally and imbricating the cases. By emphasising an instrumental logic, this "strategic" approach steers away from explanations of subjectivity, meaning and contradictions of collective politics in place.

Instead, Hart (2016) argues for a Marxist method which moves from the concrete to the abstract, what she calls "relational comparison", in which dynamics in place constitute the processes of articulation that themselves need to be traced and explained. In sketching the endurance of retail workers' labour politics in greater Johannesburg, this chapter focuses on how race, class and gender relations have been constituted through long-term workplace relations in place, which explain both why workers have continued to come together, as well as what some of the limits of their efforts have been.

### 5.3 Retail Worker Politics Constituted and Reshaped

Elsewhere I trace in detail the history of the emergence and articulation of a collective political subject among retail workers in greater Johannesburg (see Kenny 2018a). In this section, I briefly outline the key features of that history to give some background to the next section, where I examine retail worker politics within several Massmart/Wal-Mart subsidiaries.

Retail work was historically constituted under white women's labour, directing service work towards performing a gendered notion of nationhood in spaces of consumption to a white public. Even while white working-class women organised into their own union (the National Union of Distributive Workers), in and around Johannesburg, apartheid ultimately limited a class identity for these women, who retained status through the service work until the 1950s and, as it deskilled in the 1960s, through the affective labour of ongoing racialised service to a white public.

When black women and men entered service work in and around Johannesburg in the late 1960s and 1970s, as white women got better clerical jobs in the public sector, like for the earlier generation of white women, these were good jobs, but this workforce brought a politics informed (in Johannesburg) by militant student politics and by the Black Consciousness Movement. Thus, the NUDW started the Commercial Catering and Allied Workers Union (CCAWUSA) in 1975, but it soon insisted on its independence. Struggles during the 1970s and 1980s focused around sub-par wages and conditions specifically for black workers (in relation to white workers), around arbitrary discipline directed at black workers, and around racism and sexism. Thus, workers contested both material conditions and affective relations within shops, in race-class terms and in contrast to white women. CCAWUSA organised quickly and effectively and became one of the most militant unions during the 1970s and 1980s. Thus, for black retail workers, retail arenas were concrete sites of relationality, directly constituted through their labour politics.

Furthermore, in the 1980s, black workers claimed their labour rights in relation to full-time employment. In part, this related to the different material conditions of working-class life of 1980s black townships in contrast to that of the white working-class women preceding them, who argued for remaining in part-time employment to satisfy the ideals of an imagined (white) domesticity. Black workers' femininity was rather proved through other notions of motherhood stressing the ability to provide for children through working.

In the late 1980s and 1990s, the local labour market changed. Recession affected manufacturing jobs in the region, and retailers began to increase the use of casual employment to reduce wage costs and to staff extended trading hours. By now in greater Johannesburg, the shop floor labour force was primarily black, with whites working in management or higher supervisory positions. Black workers had through concrete union battles won rights to fair procedure and conditions through collective agreement in many retailers. Unions argued to protect core members (full-time permanent workers) in the context of retrenchments. In the early 1990s, then, the union (now called SACCAWU) engaged retailers around flexitime shifts. At the time, casual workers defined as "temporary" employees, worked for twenty-four hours per week (or less), had no entitlement to sick or annual leave, had no benefits of permanent employment like a pension fund or medical aid, and worked *as if* they were hired each week anew. By the mid-1990s, casual labour came to be hired in unsocial shifts and for de facto long-term periods, partly because of continuities in the association of casual workers with students, and as full-time workers acted to protect their conditions.

By the mid-1990s, retailers also started to contract out some jobs, like merchandising. Thus, by the end of the 1990s/early 2000s, the regional retail labour market—now primarily black workers from the same social backgrounds—had fragmented into three categories of employment—casual, contract and full-time permanent.

The form that workers' struggles took in the stores studied in this period varied for each group, but each category, effectively mobilised to defend itself against the others. Thus, full-time permanent workers, who had entered the labour market in

the 1980s and were the mainstay of the union, contested their changing ability to participate in decision-making within stores, which had been built up over time through the union. They conducted wildcat actions where they sat in the canteen until managers would negotiate with them over their particular grievance. Casual workers fought for longer shifts and for company uniforms, also attempting to use wildcat actions and sometimes union shop stewards to negotiate on their behalf, but were less successful. Contract workers organised branch and regional meetings cross-cutting their many different labour broker employers. They collectively organised against what amounted to workers' dismissals and poor treatment, especially from retail security managers, defending their work in terms of masculinized skill. In each of these efforts, workers' collective subjectivities (now divided into the three groups) and politics were constituted within immanent relations in workplaces and in relation to changing labour market and household dynamics in the region.

In 2003, sectoral labour legislation did away with the despised category of "casual" as defined by weekly limited hours, but in protracted negotiations, employers were successful in insisting on the necessity of labour flexibility to the industry. "Casual" labour was replaced with several newly delineated categories of part-time employment, which made them indefinite employees of the retailer with rights to proportional benefits and conditions depending on the number of hours worked in relation to full-time workers, but the new categories also made employment conditions increasingly hard to monitor and ensure.

To make matters more complicated, as the new sectoral legislation was coming into force, in these Johannesburg stores, the retailer began to subcontract out greater numbers of jobs to labour brokers, including such jobs as till packers and cashiers. In fact, at the time, South African labour law ensured that contract workers employed by temporary employment agencies were considered "employees" of the labour broker and awarded rights granted under employment law: rights to free association, to strike, to basic standards of employment and to basic wages within the sector (van Eck 2010). Yet in practice, contract workers' jobs were not secure. In this period, contract workers were not merely struggling for better wages and full-time hours; they rather wanted to gain the same status as the full-time permanent employees of the retailer, with expectations of participation. The contract workers continued to meet, to organise into shop-level committees, to demand labour rights, particularly when abuses affected their ability to provide for households and children. The union did not find a means of organising and representing them, because it remained constrained by the traditions and legal requirements of organising employees of the retailer.

As unemployment increased over this time, within the local labour market, greater numbers of dependents came to rely on those in wage labour, the workplace became critical to ensuring access to being able to support families and children. Even while "new" social movements emerged in the townships in which these workers resided (Dawson and Beinart 2010), these workers focused their politics on almost daily contestations within their workplaces around relationships with managers, changes to working hours and racist confrontations. Much of this labour

politics occurred on shop floors away from public scrutiny. And it involved collective politics which drew on race, class and gender differences among workers in the context of retail restructuring, but articulating through concrete relations in these places. In the next section, and with this broad history as background, I turn to examine the labour politics of retail workers in Wal-Mart/Massmart in the present.

## 5.4 Wal-Mart: Collectivities and Contradictions

The US multinational Wal-Mart's majority share buyout of South African listed Massmart Holdings occurred in 2011. This section examines retail workers' experiences in several subsidiaries of Wal-Mart/Massmart in greater Johannesburg. While experiencing specific forms of precariousness common to retail work in South Africa, workers continued to engage collectively, although sometimes obliquely to the union. The larger context of retailing, state regulation and legacies of collective mobilisation also suggest much more complicated stories than either a focus on only spectacular, visible strikes or a search for strategic leverage would permit.

### 5.4.1 *Wal-Mart, Massmart and the Complexity of Company Terrain*

Wal-Mart's entry into Africa through acquiring a South African listed company with stores in 11 other African countries is its first effort to stake a presence in Africa. In late 2010, Wal-Mart made an offer for majority share acquisition in Massmart Holdings, Ltd., listed on the Johannesburg Stock Exchange (JSE). By South African competition law, any large merger must undergo review by the South African Competition Commission. Thus, in 2011, the deal went to the Competition Commission and then the Competition Tribunal. In 2012, the Competition Appeal Court approved the merger (Kenny 2014). This process was covered extensively in the South African media and used by South African unions together with UNI Global and the United Food and Commercial Workers Union (UFCW) as a campaign to argue for conditions to be put on the deal (and more rhetorically to block the deal), as well as to raise public awareness about the company.

It was a successful campaign. Not only were South Africans introduced to Wal-Mart's anti-labour history, but the collective effort of submissions to the Tribunal by unions and their global allies contributed to several conditions being placed on the merger: these included rehiring of formerly retrenched workers, confirmation that SACCAWU's collective agreement be extended, and agreement to fund a supplier development program to support "emerging" (black) producers to enter its supply chain (Greenberg and Paradza 2013). This ruling was followed by

an appeal by trade unions as well as a request to set aside the Tribunal decision on the grounds of discovery by the three state Ministers in charge of the Departments of Economic Development (EDD), Trade and Industry (DTI) and Agriculture, Forestry and Fisheries (DAFF).

From fairly early in the process, it was clear that the merger did not pose a problem of strict competitiveness—Wal-Mart was buying an existing company with market share already differentiated within local markets. However, South African competition law also provides a public interest clause. The three government Ministers, in particular, were concerned to evaluate the impact that Wal-Mart might have on jobs in local supply because of its ability to leverage its extensive global networks. Thus, they actively engaged the merger application particularly through concern to protect South African jobs in manufacturing and food production. The ruling of the Appeal Court ultimately strengthened the mechanisms by which the retrenched Massmart workers were to get their jobs back and increased the amount that the company had to provide to support the supplier development fund (see Kenny 2014). The South African Competition Tribunal process was hailed as an example of an engaged state intervening to set limits on global capital; and it was an example of global union solidarity, as well as South African union solidarity—with COSATU unions from food, manufacturing and retail, in particular, engaged in submissions and in active demonstrations.

With the merger approved, Massmart began a process of expanding branches and consolidating market share in South Africa's domestic market, as well as extending its reach in the other African countries. Formed in 1990, Massmart has focused on “high-volume low-margin” distribution, operating through big-box retailing and wholesaling.<sup>1</sup> Thus, at the moment of buyout, Massmart Holdings looked fairly similar in operation to Wal-Mart.

Massmart is a holding company, which owns many different subsidiaries, both retail and wholesale companies. Massmart is organised into four divisions under which its branded subsidiaries operate: Masscash, Massdiscounters, Masswarehouse and Massbuild.<sup>2</sup> None of the stores are branded as Wal-Mart. The branded subsidiaries themselves were variously acquired by Massmart, some before Wal-Mart's ownership and some afterwards. In addition, at the time of Wal-Mart's acquisition, Massmart owned stores in 11 other African countries, thereby giving Wal-Mart an immediate “footprint” across Africa. Its geographic coverage was expanded to 12 other African countries after the merger (13 in total, with South

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<sup>1</sup>See <http://www.massmart.co.za/iar2014/our-business-model>, accessed May 15, 2017.

<sup>2</sup>Under the Massdiscounter Division are the branded subsidiaries Game, a mass general dealer and food retailer, and DionWired, an electronics retailer. Under the Massbuilder Division are the DIY and building material suppliers: Builders Warehouse, Builders Trade Depot, Builders Express and Builders Superstore. Under the Masswarehouse Division are mass wholesalers, Makro and The Fruitspot. Finally, under the Masscash Division are branded food retailers, wholesalers and buying associations, including retailers Cambridge Food and Rhino Cash & Carry and a cluster of wholesalers, including Trident, Powersave Liquorland, Saverite, Shield, Jumbo Cash and Carry, and CBW (<http://www.massmart.co.za/our-business/overview/>, accessed May 15, 2017).

Africa).<sup>3</sup> Thus, Wal-Mart's ownership through Massmart in Africa represents a particularly complicated structure of multiple subsidiaries, with their own histories of acquisition, now grouped into divisions and operating in multiple countries.

It is by division that the majority union in the sector in South Africa, the South African Commercial, Catering and Allied Workers Union (SACCAWU) has concluded recognition and collective bargaining agreements. Thus, four separate agreements cover Massmart's range of subsidiaries in South Africa. Historically, each of the subsidiaries now grouped under the four divisions had quite different union presence, such that some, for instance Makro and Game, were well-organised by SACCAWU, but others, particularly the newer and smaller wholesalers, did not have prior union presence. This has meant that in some subsidiaries, workforces were brought under union agreement as company consolidation occurred, but in others, where the union has been stronger, it has meant that additional downward pressure has been brought to bear on unionists working to maintain the standards in those better-off subsidiaries. Of the three subsidiaries examined in this chapter—Makro, Game and Cambridge Food, each falls into a different division, and each thus has a different set of agreements. The union has focused its attention at this divisional level and continues to fight to win parity of conditions.<sup>4</sup> South African labour law provides for rights to organise with respect to the employer, but because of the complexity of the company structure, the union bargains by subdivision; it has active shop steward structures in some subsidiaries within those divisions but not all.<sup>5</sup>

In South Africa, then, while recognition agreements are in place with SACCAWU and collective bargaining takes place with the company, as protected by labour legislation and reaffirmed as a condition of the state-granted merger approval, the bargaining terrain is a highly complex and differentiated process, which makes the union's job much more complicated. The effect is that on the ground there is a much more ambivalent sense of union gains than if we were to examine the company through national-level agreements or campaigns.

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<sup>3</sup>Massmart Holdings trades in 13 countries in Africa, including: Botswana, Ghana, Kenya, Lesotho, Malawi, Mozambique, Namibia, Nigeria, South Africa, Swaziland, Tanzania, Uganda, and Zambia.

<sup>4</sup>Focus group interview with SACCAWU shop steward and union officials by Bridget Kenny, Johannesburg, February 16, 2017; Africa Massmart/Wal-Mart Shopsteward Alliance meetings, June 11–12, 2014 and October 24–25, 2016, Johannesburg.

<sup>5</sup>With respect to Massmart-owned stores in the other 12 African countries (the majority are the stores Game and Builders Warehouse), the company bargains with the national commercial union in each country, where that union has won recognition.

### **5.4.2 Cambridge Food: Labour Broking, Precarious Conditions and Branch Collectives**

Cambridge Food falls under the Masscash Division as one of nine subsidiaries. After Wal-Mart's purchase, Massmart expanded its market into food retailing by purchasing several small companies and rebranding them as Cambridge Food. This subsidiary sells food to working-class (mostly black) commuters, with stores located at transport hubs and in downtown Johannesburg.

In 2013, a team and I conducted research in six Johannesburg branches of Cambridge Food through a non-representative survey of 109 workers and focus groups with workers and shop stewards (see Kenny 2018b).<sup>6</sup> Workforces in these branches were typical of retail workers in South Africa (see Kenny 2018a). Workers were young, with most being 35 years old or younger. The majority of workers were women and all were "black". Most of the workers had been employed for two years or less in their branch, and for many these were their first jobs.

The work was defined by low wages and few benefits, as has been the case more broadly in food retailing (Kenny 2007; Labour Research Service 2013). Most earned less than R3000 (at the time, less than \$300) per month. The lowest salary reported was R1300 (less than \$130) per month, and the highest salary was R6000 (less than \$600) per month (Kenny 2018b).

Most workers interviewed worked flexible working time, averaged over a month, where public holidays, Sundays and extra hours were generally worked without additional compensation. The vast majority of workers reported that their shifts varied weekly. The average weekly hours ranged from a minimum of 16 h per week to a maximum of 70 h per week, with the mean being 48 h. The standard weekly hours in the sector, and generally in South Africa, are 45 h per week, but sectoral legislation allows averaging of hours over a month. The majority of workers reported that they were often asked to work longer hours than scheduled.

The key finding of this research, though, was the extent of contract labour used in these stores (see Kenny 2018b, 2014). Cambridge Food used labour brokers to supply much of its workforce. Up to three-fourths of workers in the survey were employed by labour brokers. In these branches, workers reported that there were very few actual direct employees of the retailer, five or six out of a total of 100 to

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<sup>6</sup>The research was conducted under the auspices of SACCAWU. It was funded by UNI Global. A nonrepresentative survey was conducted with 109 workers in 6 branches of Cambridge Food in Gauteng in 2013. In addition, focus group interviews were conducted in each branch and one with shop stewards from across the branches. Project researchers included Bongani Xezwi, Ntsiki Mackay, Lesego Ndala, Matlhako Mahapa, Zakhele Dlamini, Tlaleng Letsheleha and Zivai Sunungukayi Mukorombindo. As part of ongoing involvement around Massmart, I also attended the Africa Massmart/Wal-Mart Shopsteward Alliance meetings, June 19, 2012, June 11-12, 2014, and October 24-25, 2016, Johannesburg. I also attended the UNI Global Commerce Conference, March 19-20, 2017, Dakar, Senegal.

125 workers in the shop.<sup>7</sup> Contract labour was used to supply a range of departments, in particular, jobs as cashiers, merchandisers and packers and in the speciality food departments, like the bakeries, delis or butcheries. Supervisors and administrators were just as likely to be direct employees of Cambridge Food as not.

Wages and hours of work varied by whether the worker was a direct employee or an employee of a labour broker. Thus, wages were lower for labour broker staff, and hours were longer and more likely to include unsocial hours of Sundays and public holidays. Employees of labour brokers raised the issue of the extension of hours on demand as a problem for them. Workers in focus groups explained that “They just tell us as we are about to leave that we must stay behind”.<sup>8</sup> Furthermore, workers said that it was often unclear whether they got paid for their extra hours, either in terms of overtime rates or in terms of the extra hours actually being recorded properly in their time dockets. Thus, while all workers in these stores generally were paid low wages and worked flexible hours, those supplied by labour brokers complicated the context by increasing the ease with which employers could vary workers’ conditions.

Trade unions had little representation within these branches. SACCAWU had members among the direct employees of the retailer, yet these were few workers, as we have seen. Often these employees were long-term members of the union, though, with all having been previous employees of one of the companies bought by Massmart and consolidated into Cambridge Food. They brought with them a history of participation and union representation. Yet they struggled to get much traction under the new conditions precisely because so many workers were contracted out. One shop steward explained their predicament: “We cannot mobilize any longer because there are a few of us [direct employees] in the company”.<sup>9</sup>

Indeed, some contract employees explained that they knew very little about unions. For instance, cashiers employed by one labour broker said, “We don’t really know the details of that place [the union] whether if you join it you are wrong, if you don’t you are wrong, we don’t know”.<sup>10</sup> Instead of going to a union to protect themselves, these workers went to their supervisors to “advocate” on behalf of them.<sup>11</sup>

In 2013, South African labour law distinguished the category of temporary employment agency as a triangular relationship, in which employees of the agency had labour rights with respect to the employer, the agency, in the context of limited term contracts, and joint and several liability applied to the client firm for breaches of basic conditions legislation, collective agreements and arbitration awards

<sup>7</sup>Focus group interview with shop stewards by Bongani Xezwi, Johannesburg, September 29, 2013.

<sup>8</sup>Focus group interview with contract workers by Bongani Xezwi, Soweto, May 19, 2013.

<sup>9</sup>Focus group interview with shop stewards by Bongani Xezwi, Johannesburg, September 29, 2013.

<sup>10</sup>Focus group interview with contract workers by Bongani Xezwi, Soweto, May 19, 2013.

<sup>11</sup>Focus group interview with contract workers by Bongani Xezwi, Soweto, May 19, 2013.

although there were rarely successful cases brought under this clause (Theron 2005; Benjamin 2014). As we saw above, from the early 2000s, South African retailers made greater use of labour broking to manage staffing, and trade unions battled to organise workers technically employed by a different employer (Theron 2005; Kenny 2007).

Shop stewards in these branches said that SACCAWU was limited in the extent to which the union could support them to organise contract workers.<sup>12</sup> While the direct retail employees were members of a recognised union, the use of contract labour undermined the ability of shop stewards to represent them, even when they wanted to. It also made it more difficult for union members at the level of branches to mobilise, as they were only a handful. While divisional bargaining may have protected the retail employees against the more egregious conditions of their contracted colleagues, the use of contract labour divided the workforce in ways that made unified protest more difficult, particularly because contract workers were in practice easy to dismiss.

Still, the branch-level shop stewards did try to assist contract workers with problems with underpayment of wages or complaints about scheduling of working hours. One shop steward said, “I don’t stand for workers as a member of SACCAWU but represent each worker without differentiating or favouritism. I help every worker to the best of my ability with whatever problem they have ... All the workers know that I am the shop steward for the store, and the managers know that I am the only shop steward representing all the workers in the store”.<sup>13</sup> This shop steward argued that she represented workers who were members of other unions or who were employees of labour brokers. Thus in her daily practice, she saw her duty to assist any worker with problems. She said, “I fight for people who are wronged”.<sup>14</sup> The shop stewards recognised that they had limited power to intervene, but they still considered their roles to represent workers as a core part of their daily activity. Often that work involved representing workers in disciplinary hearings and sometimes to negotiate informally with managers around a complaint. They had little impact on issues like determining schedules, however. Thus, by virtue to the changes to the forms of employment within these workplaces, compared to the earlier period noted above, full-time, permanent union members extended their work outward to contract workers, the majority of the workers. They still invoked the protective capacities of the union and fought within the embedded relationships of these shops to counter the most egregious forms of managerial prerogative. This work was conducted through their diplomacy and their knowledge of how the store operated more than through formal union structures. The legacies which these workers embodied reproduced a labour politics around a clear sense of

<sup>12</sup>Focus group interview with shop stewards by Bongani Xezwi, Johannesburg, September 29, 2013.

<sup>13</sup>Focus group interview with shop stewards by Bongani Xezwi, Johannesburg, September 29, 2013.

<sup>14</sup>Focus group interview with shop stewards by Bongani Xezwi, Johannesburg, September 29, 2013.

labour rights within their workplaces, even as they faced the erosion of the rules and relationships due to the contradictions of contract labour.

Besides what remained of unions in these shops, the contract workers also understood their context collectively, and they met and talked about their grievances, but they felt that they had little power to change things. Thus, one contract cashier said, “So we know how they treat us .... You see, we support each other because we have seen how we are treated over there. The whole store we discuss it because we can see that at [the labour broker] there is a problem”.<sup>15</sup>

Furthermore, the frontline service workers, all contract staff, also linked their own exploitation to the company’s treatment of its working-class (most black) customers, arguing that they could not service customers properly and that Cambridge Food treated customers badly, including managers that did not take customers queries seriously. Many referenced how the branches sold expired food to customers. Thus, contract workers now linked their own poor conditions, for instance through last minute extended hours or underpayment of wages to the company’s shoddy service to black customers. While managers in the branches now included black managers, workers still saw their experiences through racial divisions, as they linked the practices to white ownership of the company. Thus, the long-standing race-class identity of black workers in retail, built through the affective relations of service and in relation to mostly white management became transformed within this subsidiary, now servicing mostly black working-class customers and being run by black managers. Workers re-articulated a collective identity through race but indexing class in the context of the expansion and consolidation of retailing into these new markets. Again, these shop floor-level experiences and tentative examples of collective response and subjectivity were not visible, and yet comment on the endurance of labour politics among precarious workers in these places. Furthermore, these stores contrast with the dynamics within another subsidiary, Game, which is the closest format to Wal-Mart stores in the USA.

## **5.5 Game: Shop Stewards, Union Advances but Victimation**

In Game stores, which numbered over 100 in South Africa (50 alone in Johannesburg), the context was different. In these stores, according to a shop steward and a union official, labour brokers were used in the distribution centre only but not in the retail operations, but there were nevertheless few full-time direct employees. Most employees worked on flexitime rosters, which meant part-time hours and for most, weekly hours varied. They said that Game used to guarantee a minimum of 40 h per week, but that had been changed, such that these workers

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<sup>15</sup>Focus group interview with contract workers by Bongani Xezwi, Soweto, May 19, 2013.

could receive weekly hours ranging from 16 to 24 per week. In addition, these flexitimers could be used across departments to do different work. The issue of hours of work was a major issue in this subsidiary, as across the sector in the myriad forms traced here. The shop steward explained that regional managers could alter weekly schedules according to branch budget targets. Thus, workers could have their schedules changed with little notice, in order to trim branch budget allocations. While in Cambridge Food this happened when managers needed workers to work on demand shorter or longer hours, in Game, often the initial schedule itself was last minute, making it difficult for workers to plan their household responsibilities, particularly childcare.

The union had negotiated a higher minimum category of flexitime employment called a “Category 108” or a “Category 27”, which meant that workers were guaranteed 108 h per month or 27 h per week. In general, workers wanted to work full-time hours because they needed to earn a higher wage. Like in other retail companies, in Game shop floor workers were mostly black but branch managers or regional managers were white. There was a ceiling, which limited promotions of employees, with managers often being hired in from other South African retailers rather than promoted internally, and workers having long tenures complained that there was no way to advance within the company. They spoke about having to train new supervisors and managers coming from outside while they remained in their positions below them. These differences were highly symbolic to workers who had worked for many years and also been union members for many years.

Unlike in Cambridge Food, in Game, SACCWU had organised most of the employees. They met regularly to discuss grievances. Shop stewards would be full-time workers (not flexitime), the shop steward explained, due to availability during store hours. The shop steward argued that there had been a decrease in full-time staff relative to flexitime that related to how branch budgets were set, in which staffing costs had to be trimmed on a weekly basis. The shop steward also explained that the first cut of full-time staff happened with the retrenchments that the Competition Tribunal ruled were unprocedural and related to the impending offer from Wal-Mart. The union won its argument that Massmart used these retrenchments to change the staffing towards flexitime workers in anticipation of Wal-Mart’s offer. While the Tribunal accepted the merger only on the condition that these workers (503 in total) would be reinstated when another job became vacant, the effect was still to leave Game branches with a workforce defined through increasing use of flexitime employment. (Those reinstated did not have to be given jobs in the same subsidiary where they had worked, and indeed, the union reported that many had died before being offered new jobs and that others could not be traced.) Other issues like long-service benefits had also not been finalised for those having to be reinstated who had worked in the company for many years. The shop steward also said that under Wal-Mart, the Game stores had intensified work for many employees both through multitasking and through cutting down on numbers of staff working at the same time.

Game bargains under the division Massdiscounters with another subsidiary DionWired, but this brand has very few members. It is an electronics retailer, and the union felt that many of the employees there feel that they are higher skilled and earn commission and so are less likely to identify with Game colleagues.

Finally, the shop steward documented examples of victimisation of union members and shop stewards, in which the managers at Game set out to discipline shop stewards who were active. This shop steward was suspended without a hearing after raising a grievance with store-level managers, and when he contested the suspension, they got aggressive with him, calling him “boy”, an infantilisation of black men typical of apartheid baasskap (see von Holdt 2003). The shop steward concluded: “So any shop steward who is seen to be an influence or who is given a due support from workers, gets to be targeted .... And [they are then] subjected to dismissal on the basis of what is alleged to be said in a union meeting”.<sup>16</sup> Workers threatened to strike over his suspension, but he was worried they would be fired and told them not to: “I said don’t do that because it will lead to a massive dismissal”.<sup>17</sup> Instead, the union negotiated a transfer for him to the distribution centre.

Thus, while in Game stores the union was more active with alert shop stewards and organised members, the structures still faced difficulties that made mobilisation hard, and related to differences in status—long built up within the sector, but in different ways to Cambridge Food. Still, workers in these stores again had a firm sense of collective subjectivity rooted in the branch union structures, and linked to the longer relations of race and class in the sector, in which shop floor workers continued to face work intensification, lack of advancement, erratic work schedules, and victimisation of union representatives.

## 5.6 Conclusion

I conclude with one last snapshot, a more standard portrait of labour politics in South Africa. In another subsidiary of Massmart/Wal-Mart, Makro, on 25th August 2017 workers went out on a strike in support of SACCAWU’s wage demands in bargaining around the divisional agreement. Workers decked in their yellow uniforms marched along a major road in Johannesburg from a Makro branch to the subsidiary’s head office. Workers blocked traffic, at some point, lying in the road. They carried signs and toyed against “unilateral restructuring” and for wage increases. This very public strike received media attention. It was supported by the national office of SACCAWU and was a protected strike. The union is still bargaining with Massmart in its Masswarehouse division.

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<sup>16</sup>Focus group interview with SACCAWU shop steward and union officials by Bridget Kenny, Johannesburg, February 16, 2017.

<sup>17</sup>Focus group interview with SACCAWU shop steward and union officials by Bridget Kenny, Johannesburg, February 16, 2017.

Spectacular struggles begin and end this tale of Wal-Mart/Massmart in South Africa. Both the campaign around the Competition Tribunal process and the recent public strike of Makro workers captured media attention. If we were to only try to understand retail worker politics through these events, we would have a reading of the active and strong union mobilising global solidarity and its workforce in arguably the strongest of the subsidiaries. And while these events are certainly part of the story, such a focus on workers and the union as heroic subjects confronting global capital does not capture the varied experiences of workers across subsidiaries and the complexities of mobilising and defending workers under the conditions in South Africa, as well as the longer history of retail worker politics in South Africa, which can be traced in these brief glimpses into current retail workers' labour politics.

Thus, the everyday work of mobilising and fighting small battles carried out by, for instance, workers and shop stewards in Game or Cambridge Food, should not be lost. The enduring articulation of collective identities, often through particular conjunctures which have reproduced race-class relations in new ways, are themselves part of the story. An approach that moves from the concrete to the abstract (Hart 2016) allows for the repetitions and the failures that are also part of workers' daily experiences, without simply plucking out the successes to model an abstract labour politics for use across contexts. Thus, a framework beginning from "power resources" would not be able to explain the enduring collective battles that sustain a collective subjectivity of workers, from experiences more varied than successful campaigns.

As we have seen, the union offers some resources to these workers, but it also suggests enduring limitations, unable within the different conjunctures to push back on many of the most precarious sets of conditions. New labour law reforms have made significant change to the legality of labour brokers supplying regular workforces, but employer responses suggest that another iteration of short-time, multi-task contracts will be the next step, as with Game's reliance on short-time flexiwork.

Workers battle in each iteration to argue for their skill and their contribution, or at other moments to contest lengthening working days and the authority of managers to arbitrarily decide their schedules. As unemployment rises in South Africa and poverty levels increase, these workers are some of the few left employed. They speak of servicing social grant recipients, who can cash their grants at supermarkets, at the end of the month. They speak with disgust at the quality of "fresh" food sold to working-class and poor people in these shops. Yet, for these precarious workers tied into the wage circuit, there has been little effort or energy to link their labour struggles to consumer treatment, either poor-quality food or simply the massive increase in food price inflation. The terrain of the workplace itself is reproduced as the site of struggle because of sedimented practices (see Kenny 2018a).

Analyses that look for vanguard subjects may find them, but these may tell only a partial story of the ways in which collectivities are reformed and advanced. Workers worked long hours or sometimes not enough hours, during unsocial shifts,

and they did not generally receive overtime or Sunday pay. They repeated the status of low wage, low-skill labour assumed to define blackness under apartheid.

The lack of jobs and the growth of precarity have laid bare the dreams of liberation emerging in workers' struggles. In the normative framing of work and wage labour to citizenship in post-apartheid South Africa, Barchiesi (2011) locates the sinews of an incomplete liberation. Thus, precarious labour raises with sobering clarity the inadequacies of democratic inclusion so central to the desires held within militant labour politics under apartheid. And yet, debates about trade unions or worker mobilisation engage mainly with the spectacular examples which pose new fighters against abstract structures or the strategic opportunities and organisational resources held by workers, rather than examine the significance of the longer trajectory of labour politics in situated relations in place.

South African retail workers offer a different terrain to explore the significance of labour politics precisely because of the contradictions suggested. These service workers have continued to struggle and mobilise for decades, in the face of increasing precariousness even as these are some of few jobs in the local labour market. Much of this labour politics occurs at the level of shop floor relations, some of it through union structures—and then a varied set of union relations—but not always. In short, retail workers' labour politics raises other questions around political subjectivity and the endurance of labour politics which require us to examine the concrete articulations of relations in time and place, to choose a method of immanence over transcendence and teleology.

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**Part II**

**Value Production in Industries**

# Chapter 6

## The Collective Resistance of China's Industrial Workers



Jenny Chan

**Abstract** This chapter focuses on the collective resistance of Chinese industrial workers in the contemporary context of the Party state-guided market reforms and capitalist globalization. It documents the major protests led by older socialist state workers, younger rural migrants, student interns, and dispatch workers in their respective struggles, resulting in the mixed outcomes of defeats and victories. The government at all levels is increasingly compelled to respond to workers' demands by giving some concessions to "maintain stability." It has not, however, recognized workers' rights to self-organization and mobilization. Leading workers rely heavily on their own to fight for sociopolitical and economic justice. In numerous strikes and protests, they disrupt the continuous workflow in tightly connected global production chains to bargain with employers, and corrupt officials, thereby shifting the dynamics between labor, capital, and the state.

**Keyword** State workers · Rural migrant workers · Interning student workers · Dispatch workers · The Chinese state · Trade unions · Collective resistance

### 6.1 Introduction

Before the founding of the Chinese Communist Party in 1921 or the involvement of Marxist intellectuals and students in labor organizing, peasants and an emergent working class of modern industries had attempted to create their own protest repertoires to secure collective rights and interests (Chesneaux 1968; Perry 2002). Elizabeth Perry (1993: 4–5) writes compellingly in *Shanghai on Strike*, "Labor politics begins with the laborers themselves: their geographical origins, gender, popular culture, educational attainments, work experiences, and the like. These are the features of a worker's milieu that structure lasting traditions of collective

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action.” Nearly a century later, Chinese workers now at the epicentre of export-oriented industrialization are struggling to win fundamental labor rights including the collective rights to self-organization. Bypassing the trade unions that are invariably dominated by management and affiliated with the only official body, the All-China Federation of Trade Unions, aggrieved workers have increasingly engaged in strikes and protests to fight for social and economic justice. This chapter assesses the workplace-based power of industrial workers in contemporary China.

When workers withdraw their capacity to labor at central points of transnational production, the collective action will cause huge losses not only to the company, but also to global buyers who are heavily dependent on it. Hence, these image-conscious buyers may push to settle in favor of workers. “Workplace bargaining power,” in the words of Beverly Silver (2003: 13), “accrues to workers who are enmeshed in tightly integrated production processes, where a localized work stoppage in a key node can cause disruptions on a much wider scale than the stoppage itself.” Through accounts of major worker actions, we can observe the changing relations between labor, capital, and the Chinese state. On maintaining social stability and enhancing economic growth, the government has skillfully forged multiple strategies both to thwart workers’ mobilization and respond creatively to it.

Using the historical and sociological perspectives, in the following, I trace the re-emergence of the labor market during China’s transition from state socialism to global capitalism since the late 1970s. With the advent of capital, urban workers in state-owned enterprises, and rural migrants mostly concentrated in nascent private and foreign-invested firms were subjected to the discipline of a despotic regime, resulting in more resistance to exploitation and massive layoffs. As the economy diversifies, employers seek further access to lower cost student interns (from vocational schools) and dispatch workers (from labor service agencies) to flexibly meet their production targets, while fragmenting the work force from making collective demands. Class conflicts and social discontents are growing. From the early to mid-2000, against the backdrop of deepening labor unrest, the Beijing leaders initiated a series of social insurance and minimum wage reforms to improve the basic livelihoods of the majority of the working people, thereby making strategic compromise in an attempt to achieve social stability (Gallagher and Dong 2011; Lee 2014). It remains to be seen whether, in an epoch of proliferating struggles, workers can expand the scope and range of their demands beyond immediate grievances to structural issues of genuine worker representation and democratization.

## 6.2 The Re-emergence of Labor Markets in Post-socialist China

The Chinese state faced serious challenges of political chaos and economic stagnation in the wake of Chairman Mao Zedong’s death in 1976. Even if a few officials called for political reform and “socialist democracy,” such as a delineation between

the roles of the party and the government, the impact was very limited (Goldman and MacFarquhar 1999: 10–16). Economic initiatives had received far more attention and greater social support. Reformist leaders of Beijing promoted a developmental strategy centering on the four modernizations, namely agriculture, industry, national defense, and science and technology predicated on “reform and opening.” Yet, even as the size and complexity of China’s working class grow, class contradictions sharpen, and social protest proliferates, the language of class has largely disappeared from Chinese mainstream discourse. As Ching Kwan Lee and Yuan Shen (2009: 110) demonstrate, under dual pressure from the state and government-funded academic institutions, many scholars who study workers in Post-Cultural Revolution China “shun class analysis and define away labor issues as those of mobility, migration, and stratification.” The word “class” connotes antagonism and confrontation in the Marxist sense, eliciting dark memories of violent social struggles throughout China from the mid-1960s to the early 1970s. It is an image that is out of step with the “Chinese dream” that China’s leaders proclaim. Its replacement in social analysis, the concept of “strata” elides class conflict and highlights social mobility predicated on enhanced human resource capital through continuing education and skills training. Policymakers and academics working in a social stratification paradigm analyze data on household income distribution, educational attainment, and occupational rankings to document the rise of a middle class, while downplaying deepening structures of class inequality.

The unfinished proletarianization of Chinese rural migrant workers, totaling most than 286.5 million as of early 2018, is a product of the legacy of socialist China and the capitalist transition of the Chinese economy. Four decades ago, in the vast countryside, with decollectivization and the dismantling of People’s Communes, surplus rural labor would be quickly absorbed in booming construction, manufacturing, and service sectors. They are the semi-proletariats, making wages by selling their labor power in the market while possessing land use rights as inalienable rights entitled to rural households (Selden 1993; Huang 2008). In fueling the urban-biased industrialization plans, the state soon liberalized the decades-old rules governing rural to urban labor migration, market entry, and urban employment. The government-guided export-oriented policy centered in the four newly established Special Economic Zones in coastal Guangdong and Fujian Provinces during the early 1980s. There, non-state and later state-owned units could hire and fire workers pouring in from the rural areas and their local counterparts to maximize profits (Solinger 1999; Sargeson 1999; Gallagher 2005; Andreas 2012).

As migrants, many faced discriminations and social exclusions at work and in their everyday lives. Female workers reported issues of sexual harassment and reproductive and sexual health problems (Chan 2001). Even after years of working in the city, the great majority of married migrants and their families retain secondary citizenship status, lacking equal access to important welfare, health, and retirement benefits, while their children are systemically denied opportunities to urban government-subsidized higher education (Ming 2014). The general assumption held by local officials and employers alike is that migrants can always choose to return to their hometowns to fall back on their land and familial resources whenever needed.

This helped perpetuate the extraordinarily low wages and low reproductive costs of the massive Chinese migratory labor force during the last two decades of the twentieth century (Hung and Selden 2017).

By pitting the younger rural migrants against the older urban workers, the state stepped up to slash the cradle to grave welfare benefits enjoyed by most state employees in the acceleration of market reforms. From the 1990s, when China prepared to enter the World Trade Organization, many ineffective, small- and medium-sized state firms began to lose loans from state banks as well as their relatively protected market position to rapidly growing private firms. By contrast, powerful state enterprises retained their monopoly positions in key sectors such as banking, energy, aerospace, telecommunications, and railroads. This government-led restructuring program posed profound impacts on the remaking of the Chinese working class at the turn of the new millennium (Blecher 2010, 2016).

With the exception of large state-owned corporations, the tenure job system and comprehensive welfare benefits disappeared as competition in the market intensified. In 1997, the government formally endorsed enterprise restructuring policies that had already begun. State and collective sector jobs as a share of urban employment fell sharply from “76% in 1995 to 41% in 2000 to only 27% in 2005” (Park and Cai 2011: 17). The “iron rice bowl” system that provided state sector workers with lifetime security was smashed, resulting in layoffs of some 60 million urban workers in the span of a few years (Hurst 2009; Kuruvilla et al. 2011). “After decades of restless change,” Barry Naughton (2010: 441) concludes, “the Chinese industrial system has settled into a relatively stable configuration during the first decade of the twenty-first century.” Despite state efforts to stabilize the economic system, I suggest that ownership and employment relations have remained in flux along multiple axes including formal and informal labor, direct and subcontracted employees, and urban and rural labor.

### **6.3 Anti-privatization Protests by Chinese State Workers**

From the early 1990s, the Chinese government began releasing public security statistics on “mass incidents,” a category that extended across the ranks of workers, villagers, and urban citizens. The term “mass incident” is all-encompassing, possibly including riots, strikes, protests, sit-ins, rallies, demonstrations, group petitions, traffic blockades, and other kinds of social unrest (Selden and Perry 2010). The number of mass incidents each year increased from 8700 in 1993, the first year for which data is available, to 32,000 in 1999 (Tanner 2004: 138). The number “continued to increase at more than 20% a year” between 2000 and 2003 (Tanner 2005: 5). While the precise breakdown by worker-initiated collective actions was not publicly available, the sharp increase during the decade indicated in part the contentious state-labor relations.

Adversely affected rank-and-file state workers, including those laid-off and pensioners who found themselves bereft of benefits with privatization of their

former companies, staged large-scale protests. They held up banners displaying the big characters, “We Want Jobs,” “We Want Food,” and “We Need to Eat, We Need to Survive” (Chen 2000: 50). By making a moral claim to the socialist contract, if not outright a condemnation of socialism betrayed, some of these protesters secured modest wage or benefit gains, but there was no turning back the clock (Lee 2007; Solinger 2009; Gold et al. 2009; Philion 2009).

What is clear is that some of the fiercest labor struggles have centered on the privatization of state firms and the consequential layoff of workers. In 2005, for example, the 36,000 workers Tonghua Steel Company, located in Changchun City, the capital of northeast China’s Jilin province, were acquired by a private investor. Some 24,000 workers were to be laid off while the wages and benefits of the remaining 12,000 would be cut. According to Li Minqi (2016: 31), “State-owned assets, worth 10 billion Yuan (about 1.5 billion US dollars), were appraised to be only 2 billion Yuan (about 300 million US dollars). Jianlong, a powerful private company having connections with high-ranking officials in Beijing, actually paid only 800 million Yuan (about 130 million US dollars) and took over the factory.” Thereafter strikes and protests broke out time and again. In July 2009, the leading steelworkers turned to violent action, including beating company general manager Chen Guojun to death after he threatened to fire all former Tonghua steelworkers. To restore social and economic order, the Jilin provincial government was eventually compelled to intervene by suspending the privatization plan. But such rare victories have had little overall impact on the direction and pace of enterprise restructuring (Rights & Democracy and China Labor Bulletin 2008).

The heart of the problem confronting worker defiance to privatization is the product of collusion among capital and the state, and sociopolitical processes that exclude workers from bargaining and separate them from each other. As Xi Chen (2017: 916) observes labor leaders “tend to ‘do for’ rather than ‘do with’ ordinary workers.” Surveyed worker activists held “elitist attitudes” that led them to stop fellow workers from joining protests and strategic meetings pertaining to key questions such as asset transfers, mergers and acquisitions, privatizations and mass layoffs. Besides, workers themselves acknowledged that they lacked self-confidence to speak up to senior managers. Observing the distance between ordinary workers and protest leaders, government mediators moved to exploit the “exclusionary power structures” in ways that further undermined workers’ solidarity. In recent years, while state workers including coalminers and iron and steel makers protested wage cuts and job losses resulting from government attempts to curb industrial overcapacity and pollution, provincial and lower-level governments stood firm in the restructuring agenda.

The slow death of the opposition of the old socialist working class has been accompanied by waves of protest led by a new cohort of rural migrant workers employed by private and international firms. Companies face increasing pressure to raise wages and improving conditions to retain workers, particularly a younger generation, who frequently change jobs in an attempt to get higher pay and benefits. But what if workers choose not to leave but getting organized to fight?

## 6.4 Chinese Rural Migrant Worker Resistance

The massive recruitment of rural migrant workers in the service of transnational capital has made many increasingly aware of their shared positions and led to various forms of protest. The workers can readily build solidarity based on pre-existing localistic networks and in some cases transcend them. On the shop floors, workers are alienated and individualized but Ching Kwan Lee (1998: 122) also observes: “Trusting friendships could be built among nonlocals, as women worked alongside each other and helped each other to survive the hostile environment that their class position condemned them to share.” The dynamic or elastic quality of localistic networks is important in our understanding of workers’ interpersonal relations and the formation of potential class alliances. Labor protests may succeed when worker subgroups transcend differences and nurture broader associations among themselves.

Localistic networks are a highly contested resource which can work both for the capitalists and for the workers. Management incorporates localism in the workplace to lower the cost of production and labor reproduction (the locals will help each other out). Moreover, they use pre-existing localistic and patriarchal relations to make class relations less overt. The workers are divided along native-place origins and thus a self-conscious working class becomes less likely. Unequal work tasks are allocated along native-place origins. For example, the Guangdong workers are systematically allocated easier positions on the assembly lines and granted more promotion opportunities than workers from other provinces (Lee 1998; Pun 2005). These selective applications of paternalistic policies deepen intra-class fragmentation, regional rivalries, and sociocultural exclusions. Localism or regionalism therefore dilutes class opposition between employers and workers. For migrant workers, native-place identities remain very important to most of them. Locals and kin are dependable and trustworthy. Localistic communities provide them support and social security far away from home (including economic, social, cultural, and emotional aspects).

The friendship emerging from interactions on production lines and in collective dormitories have transcended localistic divisions to some degree. For example, on 14 April 2014 at Taiwanese-owned Yue Yuen, the world’s largest footwear contractor producing for Adidas, Nike, Timberland, and other international brands, over 40,000 workers in Dongguan city of Guangdong Province went on a factory-wide strike for nearly two weeks to demand full payment of pensions and mandatory housing provident funds that were owed them (Ness 2016: Chap. 4; Schmalz et al. 2017). Most of them were rural migrants from all over the country. On the basis of workers’ monthly wages, Yue Yuen should pay social insurance premiums at 29.2% in accordance with local regulations. In reality, it cheated workers by paying far less than the legally required amount. The social insurance contribution was calculated using worker’s basic wage, which was 1810 yuan, *not* the worker’s total monthly wage including overtime premiums and subsidies (Hong Kong Confederation of Trade Unions 2015).

By law, both employers and employees are required to enroll in local social insurance plans, which include pensions, health insurance, work-related accident insurance, unemployment, and maternity insurance (collectively the five types of social insurance) as well as a mandatory housing fund. Nevertheless, a large funding gap remains across regions, as well as between those classified as urban residents and rural migrants (Carrillo Garcia 2016; Hsiao 2014; Frazier 2014). Drawing on household data from the 2005 and 2010 China Urban Labor Survey, Mary Gallagher and coauthors found that “social insurance coverage rates are much higher for employees who are local residents than for those who are migrants” (Gallagher et al. 2015: 224). In 2010, 88.5% of local resident employees enjoyed pension coverage and 85.8% had health insurance provided by their employers. By comparison, in the same year, only 23.8% of migrant employees had pensions and 21.8% health insurance (*ibid.*). These and other differences in basic rights protection continue to the present.

In the case of Yue Yuen, migrant workers were grossly under-insured. A core group of workers, who had left their rural homes more than a decade ago and accumulated long years of service while rising to the ranks of low- to mid-level managers, played a pivotal role in the fight against Yue Yuen management. Bypassing the pro-management company union, they marched to the municipal human resources and social security bureau and demanded the company provide state-mandated social insurance payments for all workers. They displayed large red banners emblazoned with white characters that announced their demands. In direct clash, Yue Yuen worker leaders and their supporters from labor non-governmental organizations were arrested by riot police. Later, they were released only after the massive strike was widely reported by both local and international media (Chan and Selden 2014).

In many incidents of labor confrontations, either employer or government officials require workers to elect representatives, generally limited to five, to engage in talks. Once worker representatives are elected, the company moves to take control, and this intervention marks the formal beginning of fragmentation and co-optation of worker power (Lee and Zhang 2013). Frequently, the worker representatives are identified as leaders and dismissed. Mutual protection and trust among “underground activists” and fellow workers are thus critical to the success of a collective action in the absence of visible leaders.

Yue Yuen management agreed to pay full, mandatory social security contributions in accordance with the law starting from 1 May 2014, though not to pay the “historical debts,” that is payments owed from previous years’ failure to pay legally required insurance payments. In post-strike meetings between the company and the local government, Guangdong Federation of Trade Unions Chairperson Huang Yebin emphasized the need for trade unions to protect workers’ rights and interests. Provincial and lower-level unions, despite or because of their institutional dependency on the Chinese state, frequently leveraged the power to mediate conflicts and to initiate bargaining on behalf of workers (Pringle 2017; Chan and Hui 2014). Those “with the nerve to ‘make troubles’” sometimes won the biggest gains by mobilizing stability-obsessed officials to resolve labor conflicts immediately (Chen 2013: 63).

## 6.5 Student Interns or Cheap Workers?

In China, student interns are neither classified as employees nor are recognized as trade union members. Their legal status remains that of students throughout the internships. Research evidence shows that interning students are exploited as cheap industrial workers in electronics, automobile, and other sectors (Brown and deCant 2014; DanWatch 2015). Indeed, recruitment through vocational schools is an efficient way to add tens of thousands of low-cost workers who can be mobilized by the local state and/or labor agencies, and terminated at will. As of 2014, vocational high school enrolment reached 18 million nationwide (Ministry of Education 2015). The official goal for 2020 is to recruit 23.5 million students—that is, 50% of the nation’s senior secondary student population—into three-year vocational programs (Ministry of Education 2010: Table 1). In other words, student interns are the reserve army of labor precisely when the manufacturing wages are rising and the supply of youthful workers is shrinking in China.

Under the current system, vocational high schools offer employment-oriented courses for eligible applicants who have completed nine years of basic schooling. A standard course lasts for three years at the senior secondary level. When the students are in their third and final year, internships are going to take place at the workplace. Based on extensive archival research and fieldwork, the largest number of student interns is reportedly working in non-state enterprises among which Taiwanese-owned Foxconn Technology Group is China’s largest industrial employer with one million workers (Chan 2017). In Foxconn’s integrated Digital Product Business Group (iDPBG) that exclusively served Apple, 28,044 “student interns from over 200 schools” were working alongside employees in Shenzhen in 2010. This was a sixfold increase from 4539 interns in 2007 (Foxconn Technology Group 2010a: 23). Nationwide, Foxconn used the labor of 150,000 student interns—15% of its entire million-strong Chinese workforce—during the summer of 2010 (Foxconn Technology Group 2010b: 2), dwarfing Disney’s College Program, often cited as one of the world’s largest internship programs with more than 50,000 cumulative interns over 30 years (Perlin 2012: 6).

“Foxconn cooperates with vocational schools to provide students with practical skills training that will enable them to find employment after they graduate from these programs,” a 2011 company statement claims (Foxconn Technology Group 2011). But the company said nothing about its workplace training content and skill evaluation methods. In practice, Foxconn not only recruits students regardless of their field of study, it also routinely recruits them much earlier than is legally allowed, in their first and second years rather than their final year of vocational high school. Foxconn student interns ranging in age from 16 to 18 were subjected to the same working conditions as regular workers, including alternating day and night shifts, 10–12 hour workdays, six to seven days a week during peak seasons, and with extensive overtime. The company internships were often extended to meet production needs, ranging from three months to a full year. In all these ways,

Foxconn systematically violated the letter and the spirit of the law governing interns (Smith and Chan 2015).

One compelling attraction of the intern program for Foxconn and other corporations is the fact that while interns are paid, they are cheap and expendable labor. In January 2011, new workers and student interns at Foxconn's "iPad city" in Chengdu were paid the same 950 yuan/month, but unlike regular workers, interns were not entitled to a 400 yuan/month skills subsidy even after passing a three-month probationary period. Foxconn justifies this tiered treatment by referring to the legal requirement to "pay reasonably for the labor of interns," wherein what constitutes "reasonable pay" went unspecified under the national regulations at that time. It was not until April 2016 did the central government make clear the widespread abuses of the internship system by promulgating the "Regulations on the Management of Vocational School Student Internships." Nevertheless, the new regulations also leave intact incentives for corporations to continue to prioritize internship labor as cheap labor, as in the provision that their pay be "*at least* 80% of that of employees during the probationary period" (italics added) (Ministry of Education et al. 2016). Because student interns are not adequately protected as employees—even as they perform work identical to that of co-workers—employers do not need to enroll them in government-administered social security. By dispensing with all of these benefits, Foxconn ultimately saves money.

How do companies like Foxconn sabotage student internship in their search for productive labor? Local governments, when drawing investment into their localities, set quotas and disbursed funds to vocational schools that fulfilled corporate targets for enrolling interns. Specifically, education bureaus identified schools suitable for linking to company internship programs. In central China, for example, the Henan provincial government effort on behalf of Foxconn bore all the hallmarks of a full-scale military mobilization, a people's war, waged by government on the economic front in the service of Foxconn (Chan et al. 2015). In fact, the interests shared by companies, vocational schools, and local governments are intricate. Rob Lederer, the executive director of the Electronic Industry Citizenship Coalition (EICC), an industry association with more than one hundred members around the world, acknowledged that "one large potential source of reliable, quality labor may be student workers" (EICC and REAP 2015: 2).

Besides electronics, mass recruitment of students as "trainees" and "apprentices" are similarly documented in the automobile sector (Zhang 2015). In the Honda factory strike of May and early June 2010, student interns and workers jointly demanded higher wages and better conditions by eventually paralyzing Honda's tightly integrated supply chains across China. Florian Butollo and Tobias ten Brink (2012: 426) reported that "foremen offer little in the way of instruction despite the fact that the work at the factory is considered to be a part of the interns' education." Student interns made up "the majority" (different sources give different percentages) of the 1800-person labor force at Honda's Nanhui plant, while they were paid a lower wage than regular employees (Lyddon et al. 2015). Despite the power asymmetry between managers and teachers on one side and workers and interns on the other, the strikers won a big wage increase for both workers and interns.

Importantly, in this case, interns and workers interacted as friends and colleagues going to work every day by company shuttle buses and living in the same factory dormitories. Such an environment can prove conducive to strategizing solidarity actions. But because interns are typically short term, solidarity can pose difficult challenges. Even worse, working on the line and living in the factory dormitories, the students must comply with the corporate internship program on pain of not graduating. Labor unfreedom is a cause of concern.

## 6.6 Subcontracted Workers and Work Inequalities

Besides student interns, agency or dispatch workers are flexibly channeled to labor-hungry workplaces on demand. In reviewing the expansion of labor dispatch services during the 1990s, Feng Xu (2014) found that the first such agencies were founded by local governments to deploy laid-off urban workers following the successive waves of layoffs of state sector workers. These agencies also created new sources of revenues for officials in charge of re-employment. With China's access to the World Trade Organization in 2001, private domestic firms and multinationals quickly joined the niche market of dispatch labor, absorbing the unemployed, rural migrants and fresh graduates. Government statistics showed that by 2011 there were 27 million (data from the Ministry of Human Resources and Social Security) to 37 million (data from the All-China Federation of Trade Unions) dispatch workers in enterprises throughout the country, and the number has been growing (Liu 2014: 14; Huang 2017: 248). Under the dispatch work relationship, "the contracting and managing entities are constructed to be severed from one another" (Huang 2017: 250). When the dispatch workers are injured, for example, neither the user firm nor the dispatching company seems to take the joint legal responsibility (Cairns 2015).

In dispute resolution, disgruntled workers can reject arbitration decisions and appeal to basic-level courts when they perceive arbitrators' awards to be unjust. Within 15 days of an arbitration ruling, workers have a right to apply for a trial of the original dispute. Such appeals have become increasingly common as aggrieved workers anticipate that "judges will grant them higher compensation than the amount of the arbitral awards," despite bearing the burden of having to pay legal fees up front (Chen and Xu 2012: 91). Drawing from the Supreme People's Court database, Philip Huang (2017: 248) highlights the rapid increase of lawsuits over "dispatch work" in basic-level courts, from 59 cases in 2012 to 248 cases in 2013, further to 1255 in 2014, prior to a slight decline to 1190 in 2015. The growth of caseloads is set against the background of rapid development of dispatch work as employers reap the benefits of lower wages, reduced benefits, and greater flexibility, and the weakness of employees caught between the agency and the company where they work (Chan 2009; Zhang 2015).

In an attempt to mitigate the precarity of dispatch workers, the 2014 Interim Provisions on Labor Dispatch stipulate a two-year transitional period for enterprises to lower the proportion of agency workers in their labor force to 10% or lower at any enterprise, but not to question the dispatch system itself (Liu 2014). The multi-tiered employment system is problematic not just from the perspective of subcontracted workers who lack job security, but also from that of regular employees, who encounter greater difficulty in making “collective demands on their employers” as they now must compete with dispatch laborers (Friedman and Lee 2010: 513). Fragmentation among workers and uneven access to labor market has weakened solidarity to some extent.

## 6.7 Assessing the Forces of Chinese Labor in Global Capitalism

Under reform and further opening, China has become a world factory and a major importer and exporter. Transnational corporations have exported capital in searching for higher profits, thereby circumventing tighter labor, social, and environmental regulatory systems within certain nations. The resulting “successive geographical relocation of capital” has been facilitated by efficient transportation and communications technologies, regional and international financial services, and access to immigrants and surplus labor which hold down wage levels and increase the difficulty of holding capital accountable (Silver 2003: 39; Hung 2009; van der Pijl 2015). The “race to the bottom,” however, has rarely proceeded without workers’ challenges at sites of new investment at home and abroad (Evans 2010; Atzeni 2014; Ness 2016).

A key point for a critical analysis of workers’ activism is: Labor struggles are shaped by class factors as well as labor market factors. This means that, for a member of the working class, the experiences of commodification in the market (that is, the sale of labor power in exchange for wages) and alienation and exploitation at the point of production can and should be connected. This is because labor as a commodity in the market is derived from the logic of capital accumulation rooted in the relations of production. Labor struggles can be viewed as early signs of class consciousness that could lead to a possible emergent labor internationalism in which the resistance of Chinese workers gained the support of students and scholars, workers, and consumers throughout the developed world who are associated as consumers with major products manufactured in China. This is the basis for the development of a labor-focused anti-sweatshop global campaign (Pun et al. 2016; Chan et al. 2016).

In China and almost every country, Marcel van der Linden (2016: 201) shows that “traditional labor movements are in trouble.” Organizing among various segments of labor and across different scales and geographies, nevertheless, worker activists and their supporters are struggling to make their ways forward

(Appelbaum and Lichtenstein 2016). In the course of China's rapid urbanization and industrialization, precisely when hundreds of millions of urban and rural workers were compelled to sell their labor power in exchange for wage in harsh conditions, worker organizers have taken legal and extra-legal means to reclaim their rights and dignity. "Global supply chains," in the assessment of Benjamin Selwyn (2015), "are not benign spheres of opportunity, but tools for increasing the exploitation of labor in both the Global North and the Global South." Chinese workers, not unlike their counterparts in other parts of the world, have been pushing the state to amend its legal framework and conflict resolution approach to protect worker-citizens who are exposed to profound uncertainty and insecurity (Seidman 2007; Lee 2016; Gallagher 2017).

Labor disputes and lawsuits across sectors and geographic spaces have continued to surge since the mid-1990s. Aggrieved workers "mobilized the law" by quoting specific clauses of legal protection when their rights were violated, such as non-payment of wages and social insurance benefits (Chan 2009; Gallagher 2005, 2017; Lee 2007; Liebman 2014). Official statistics show that, in 1996, 48,121 labor disputes were accepted for arbitration, the total spiraling to 120,191 in 1999, involving more than 470,000 laborers as numbers soared in the context of massive layoffs of state sector workers. The upward trend continued from 2000, reflecting widespread incidences of rights violations as the non-state and restructured state sector expanded. Labor cases further skyrocketed to 693,465, involving more than 1.2 million laborers nationwide in the economic crisis of 2008. Following the economic recovery, newly accepted arbitration cases fell to 600,865 in 2010 and further to 589,244 in 2011. In 2013, however, the total number of labor dispute cases rebounded (665,760), despite greater responsiveness on the part of the government and its trade union offices to resolve problems at the grassroots level (*China Labour Statistical Yearbook 2014 2015*: Table 8.1).

On "stability maintenance" and "social management," Ching Kwan Lee and Yonghong Zhang (2013) show the local Chinese state's proactive bargaining with protest leaders, including buying off troublemakers to contain and disperse mass protests. Where possible, government officials have engaged in "relational repression" to force protestors to abandon their demands through effective control over the important social relations of the core organizers, such as their work and families (Deng and O'Brien 2013). Mary Gallagher (2014) characterizes the deep intervention of the Chinese state, the rise of "the activist state," to mitigate labor unrest in which frontline officials have used their discretionary power, instead of going through more time-consuming legal bureaucratic procedures, to quickly restore industrial peace and harmony. In turning the street into a makeshift courtroom, government negotiators have joined hands with lawyers to arrive at settlements onsite, thus preventing labor grievances from escalating (Su and He 2010). Under this circumstance, state and corporate strategies to date have effectively restricted a nascent worker and pro-labor movement to the local level.

## 6.8 Labor Challenges to Chinese Union Reforms

China, not unlike East Asian authoritarian states in early decades of export-oriented industrialization, took repressive measures to suppress independent unionism. Differing from democratizing South Korea and Taiwan in the late 20th century, however, alternate trade union organization continues to be strictly forbidden in present-day China. By 2014, the centralized Chinese trade union federation claimed a total of 288 million union members, the largest union membership in the world (*China Statistical Yearbook 2015 2016*: Table 24–27). Wang Zhaoguo, chairman of the Beijing-based trade union federation from 2002 to 2013, aims to “ensure the interests and rights of workers” and “bring the benefits of economic development to all workers to promote social justice” (quoted in *China Daily 2012*). Official rhetoric aside, the lack of genuine union representation remains a fundamental challenge to labor, despite efforts pooled by workers and advocates to call for real union elections (Traub-Merz 2012; Friedman 2014; Kuruvilla and Zhang 2016).

The major official goals of building unions and promoting a workplace-based consultative and negotiation system are to reduce arbitration and litigation case-loads and to regulate the management of labor affairs at all levels. The 2014–2018 national trade union work plan stipulates that unions should “further promote collective bargaining with a view to protecting the legitimate rights and interests of workers and facilitating harmonious and stable labor relations” (All-China Federation of Trade Unions 2015). Putting the recent company union reforms in its regional context, in 2013, the Guangdong provincial government released for public discussion “Regulations on Enterprise Collective Consultations and Collective Contracts (Revised Draft).” The regulations specified that employees can initiate a “collective consultation process” and management must present a point-by-point written reply within 20 days of receiving the notice (The Standing Committee of Guangdong Provincial People’s Congress 2013). In response to strong opposition from major business associations, including large investors from Hong Kong across the border, however, the government weakened the draft provisions and on 25 September 2014 passed “Regulations on Enterprise Collective Contracts in Guangdong,” effective 1 January 2015 (The Standing Committee of Guangdong Provincial People’s Congress 2014). Article 18 stipulated that “at least 50% of the workforce of the company in question” must endorse the formal call for compulsory talks to take place, a formidable obstacle to worker actions. Aaron Halegua (2015) further comments that “if negotiations do happen, the regulation explicitly prohibits workers from engaging in a work stoppage or slowdown.” As a result, “there are no new tools to pressure employers to take bargaining seriously.”

Thus far discontented workers have repeatedly condemned and sought to circumvent management-controlled unions in efforts to organize to protect themselves. In close-knit production chains, workers “have the potential capacity to disrupt the interactions by exercising interdependent power”—the power to withdraw their consent and cooperation to high-speed production notably in periods of rollout of new models and in holiday seasons (Piven 2014: 226). Moreover, striking workers

have sometimes been able to compel the state to arbitrate grievances, helping to win wage gains or secure benefits that previously eluded them (Chen 2012; Lee 2014; Pringle 2017).

Different state units (such as the union organization and the police force) have responded to workers' strikes and protests in different ways, contingent in part on the responses of local and international labor organizations, the nature of worker demands, and above all, their own priorities and preferences for restoring industrial peace. On the whole, local officials continue to search for mechanisms for resolving social and labor conflicts that strengthen workers' rights as individuals, while preserving structures of authority, thereby maintaining a political monopoly of the party-state (Chen 2007, 2016; Perry 2014).

## 6.9 Conclusion

Class analysis in the classic Marxist sense is by no means obsolete. China's emergence as a global economic power and its transition from the ranks of the poor to lower middle-income status has been fueled by political economy transformations since the 1970s. Confronting corporate-led globalization under the auspices of the post-socialist Chinese state, the out-migration and semi-proletarianization of close to 300 million villagers have constituted a new labor force, simultaneously, tens of millions of older state workers had fallen from grace in bankruptcy, privatization, and restructuring (Li 2016). As employers prioritize profits, efficiency, and organization flexibility, they increasingly tap into lower-cost student interns and dispatch labor to cope with rising production needs, often at the sacrifice of the interests of regular or formal workers. In the face of injustices and oppressions, workers have improvised individual and collective responses to resist corporate and corporate-state abuses in the absence of effective union representation or leadership.

The proliferating labor struggles are primarily rooted in local terrain and driven by forces of global capital and the Chinese state striving to climb the global value chain. President Xi Jinping, who took the top position in 2013, has been alert to the fact that "many cracks in the facade of regime stability" have not only appeared but also deepened, notably the growth of labor and other kinds of social challenges, despite the durability and resilience of Chinese authoritarianism in the wake of the collapse of former communist-bloc countries since the late 1980s (Chen 2013: 63). Reform of Chinese trade unions at the grassroots level, particularly the expansion of union functions to secure the right to collective bargaining, attains ever greater urgency. "Realize the great Chinese dream, build a harmonious society," intones a government banner. The definition of that dream and the determination of who may claim it remains strongly contested.

Looking ahead, this research contends that structural obstacles to the emergence of a vibrant Chinese labor movement are *not* to be eliminated in the near future. Multinationals in some manufacturing sectors have already moved their operations

abroad to take advantage of lower wage levels (such as Vietnam, Laos, Cambodia, India, and Indonesia), while others are constructing new factories in inland Chinese cities with an eye to reducing labor costs, securing lucrative local government subsidies, and accessing to a fresh supply of young workers willing to accept lower wages. Will the current period of protest in localized and dispersed sites of resistance across China develop further through alliances across class lines and across the urban–rural divide into a more broadly based social movement, against the backdrop of accelerated capital relocation and deepened state intervention? The core question remains whether workers throughout coastal and interior China will succeed in strengthening their protests as part of a global labor movement. That would of course require not only the growth of Chinese labor struggles but labor struggles and support movements centered on the developed countries as well as the Global South.

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## Chapter 7

# “We Fight Against the Union!”: An Ethnography of Labor Relations in the Automotive Industry in Mexico



**Paolo Marinaro**

**Abstract** This chapter examines labor militancy in the automotive industry in Mexico. Over the past decade, Mexico has risen as one of the largest global car manufacturers. Nevertheless, wages continue to plummet, setting Mexican salaries among the five lowest in the world. At the center of this increasing disparity, unions play a significant role colluding with companies and the government to control labor demands through corruption and illegal means. Despite fierce repression, workers organize clandestinely to resist precarious working conditions, building international solidarity and engaging in spontaneous labor strikes. This chapter is based on three years of ethnographic research. It looks at the recent wave of wildcat strikes that reveals an emerging pattern of collective action and labor organizing. The automotive sector is traditionally considered emblematic of stable and unionized jobs. However, this study shows how labor responds to the radical precarization of working conditions, by developing crossborder ties and carrying out independent work stoppages.

**Keywords** Wildcat strike • Automotive • Trade union • Mexico

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## 7.1 Introduction

For decades, the automotive industry has been an emblem of stable, unionized jobs that provide social benefits and salaries protected by highly structured collective bargaining protocols. Autoworkers were once recognized as privileged members of a working class aristocracy. However, since the 1980s, the manufacturing industry has undergone deep restructuring. To cope with the crises of increased production, stagnant mass consumption, and the empowerment of the labor movement, the automotive industry experimented with new forms of organizing the productive process and has redesigned its geography of production, including regions characterized by lower labor costs and by industrial regimes able to control workers' demands (Silver 2003). Production relations have been transformed cyclically, including new territories, updating technological processes, and taking out the cost of the crisis on the workforce through wage reductions and increases in production rates (Anner 2011). Industrial and institutional restructuring has forced workers to move away from traditional forms of collective bargaining in order to resist against the precarization of working conditions (Ness 2015).

In the last ten years, the automotive industry has grown extraordinarily in Mexico, making it, in 2014, the seventh largest global car producer, the third largest global exporter, and the primary trading partner for the USA (Carrillo 2015). In Mexico, the automotive represents 20% of the gross domestic product of the manufacturing industry and 30% of total exports (Secretaría de Economía 2015). It provides more than one million jobs, 68% of which are for workers on the assembly line (Carrillo 2015). However, the success of the automotive sector and the growth of the workforce have not been accompanied by an improvement in working conditions; on the contrary, actual wages have decreased constantly since the 1980s, sinking low enough to be categorized among the five lowest wages in the world in 2014 (Quintero 2015).

At the center of this increasing disparity, unions play a significant and controversial role: the rising rate of unionization that has accompanied industrial restructuring since late 1970s is the result of the adaptation of trade unions to corporate demands (Gambrill 1989; Covarrubias 1993). Mexican scholars refer to these organizations as “employer protection unions” (Quintero 1989; Bouzas 2009). These kinds of unions are known for colluding with corporations unconditionally, defending private investments from workers’ demands, combatting legitimate independent unions and labor movements through illegal means, and engaging in corruption, intimidation, and other violent practices (Quintero 2006b; Marinaro 2016). The relationship between corporations and these “protection unions” is

institutionalized by official Arbitration Boards (JCyA<sup>1</sup>) through their recognition of “protection bargaining agreements”—typically signed before the opening of factories without the consent of the workers, who in most cases do not know the union and will never see the agreement. Despite fierce repression, though, Mexican autoworkers organize in autonomous and clandestine movements to fight against employer protection unions and to resist precarious working conditions. Wildcat strikes and international solidarity are recognized as privileged instruments of struggle. This chapter focuses on workers’ experiences of the conflicts through an ethnographic approach.

## 7.2 Union Democracy as a Conflicting Process

The case of employer protection unions must be approached taking into consideration some of the classical themes of labor studies. The extraordinary lack of participation of workers in the management of industrial relations should be considered in relation to the debate on democracy and trade union bureaucracy, that is to say, with reference to the different social science interpretations of the relationship between workers and union leadership, as well as the dialectic that articulates workers’ agency and institutional structure. Traditionally, trade unions have been considered in terms of implicitly contradictory institutions, suspended between the distinct, antithetical objectives: the need to represent workers’ interests and the pressures of company, market, and state. The union, in this sense, is at the same time a vehicle of workers’ demands and an agent of control of their resistance, both the subject of class struggle and its limit (Darlington 2014). Antonio Gramsci argues that trade unionism is intrinsically contradictory, because even while it confronts capital in advocating for workers, it nonetheless remains “a form of capitalist society [...] and it organizes workers consistently with the form provided by the capitalist regime” (Gramsci 1919). According to certain approaches, trade union bureaucracy plays a central role in this contradiction. It is an apparatus made up of professionals employed full time in the administration of a union, specializing in negotiation between the working class and capital. These professionals occupy a peculiar position in the social structure that is characterized by interests and resources different from and sometimes opposed to those of the workers. The daily closeness with corporate or governmental actors, the level of benefits, and the experience of a social condition extremely different from that of the workers are some of the factors that contribute to the distancing of union leaders from their

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<sup>1</sup>Sectoral extension agreements where contract terms in union workplaces are extended by government decree across a firm type in a given locality or sectoral bargaining models where labor councils bargain with employers associations or representative firms and the terms are imposed across the sector. These models have been used in different jurisdictions in Canada are still on the books in Quebec. Sectoral bargaining is still prevalent in the construction sector in Canada, where it was imposed by government to protect weak firms against strong unions.

membership in the progressive bureaucratization of the organization (Darlington 2014). Rosa Luxemburg observes that, in its extreme form, this process can turn the objectives of the union into a mere reproduction of the institutional machine, radically shifting it away from representation of workers' demands and rebuilding its bureaucratic apparatus as a social class independent of the proletariat (1986).

The degree of bureaucratization of a trade union, from this standpoint, signals the distance between workers and union leadership and is an indicator of the oligarchic or democratic configuration of power relations that preside over a specific organization (Lipset 1953). However, among the ideal-typical categories of union oligarchy and democracy exists a wide range of historical combinations of practices, relationships, and representations that articulate different degrees of bureaucratic and democratic complexity: from the extreme case of employer protection unions in Mexico, where workers do not know to be unionized, and the union is in service to the company in keeping peace among labor (Quintero 2006), to trade union movements that enact non-traditional forms of collective action, building horizontal solidarity with the broader community and other social movements in a fight for political emancipation that transcends the sphere of labor (Fairbrother 2008).

In this vein, Richard Hyman has questioned the empirical and analytical relevance of the categories "leadership" and "base," pointing out that the relationship between members of the national committee and local affiliates is much more complex, mediated, and contradictory than these terms convey (1979). According to Hyman, reducing the limits of trade unions' revolutionary potential to the antithesis of base-leadership means to simplify an extremely complex historical and political issue and to deny the implicit contradictions of union militancy pointed out by Gramsci (2011). In agreement with the British expert, Maurizio Atzeni has deconstructed the category "trade union democracy," focusing on its historical relevance—that is, on its influence on the organization and struggle of the workers. According to Atzeni, democracy is "the process that links workers' organizations to their collective interests, [...] whose limits and possibilities are defined by the balance of class forces" that characterizes a specific set of circumstances within capitalism (Atzeni 2016: 13). The practices and ideas of democracy, then, cannot be reduced to a mere series of internal mechanisms, since they are reconfigured and acquire meaning according to the socioeconomic context and the particular configuration of power relations in which they reside. It is, as Enrique de la Garza points out, a processual phenomenon in constant transformation (2000). From this perspective, trade union democracy is a social construction resulting not only from the external structural pressures of market and state, but also arising from the praxis of union affiliates as well as the discourses and representations that shape its meaning (De La Garza 2000).

In Mexico, the transformation that has resulted from this unionism that experts categorize as employer protection is the product of structural reforms, market deregulation, and the crisis of the corporate pact between state, union, and workers. However, structural change is only one of various factors that have influenced this process. The formal centralization and autonomization of decision-making processes have translated into operational practices such as electoral processes,

assemblies, benefits management, labor and productive process management, collective agreement, strikes, and external relations (De La Garza 2000: 12). The implementation of these changes meets resistance and daily conflict through the practices of union members who appropriate these structures by reproducing them in their routines or transforming them through struggle. Thus, the categories bureaucracy and union democracy manifest the limits of their own analytical possibilities, since they do not permit us to observe the complex articulation of horizontality and subalternity, participation and autonomy, authority and antagonism, which characterizes trade unions’ power relations.

Beyond the classificatory commitment to measuring participatory procedures and bureaucratic levels, this approach requires an empirical focus on the configurations of power relations that preside in trade union organizations; observation of their processual dimension (De La Garza 2000); and consideration of the subalternity, antagonism, and autonomy (Modonesi 2014) that characterize the political subjectivities involved in industrial relations and underlie the dialectical balance between union action and collective interests (Atzeni 2016).

What is of interest here, from a political standpoint, is the influence of a particular institutional infrastructure on the process of subjectivation of workers, that is, on the construction of a collective political identity.

The Mexican case offers an opportunity to focus on the processes and conflicts through which workers’ political subjectivity is constructed and deconstructed daily in extremely undemocratic contexts. These conflicts are emblematic of worker’s reaction to the precariousness of working conditions in sectors that have traditionally been unionized and regulated by highly structured collective bargaining procedures. The struggle of Mexican workers is particularly relevant to the study of workers’ alternative organizations, as it shows these processes in a situation of profound transformations, highlighting the strategies and discourses that underlie workers’ appropriation of structural reforms and preside over the construction of antagonist subjectivities in the automotive industry in the context of the global supply chain.

### 7.3 Cases and Methodology

This chapter addresses the daily experience of workers in employer protection unions in the automotive industry in Mexico, based on ethnographic research I conducted over the last three years. I focus on the dialectic between capital, state, and labor, highlighting the strategies of resistance that shape workers’ antagonism to employer protection unions. The narratives of a sample of workers selected from one assembly plant and one auto parts factory, each from a prominent Mexican automotive cluster, will allow me to offer a summary of the strategies of struggle that underlie the construction of spaces of negotiation and democratic participation in extremely authoritarian and undemocratic contexts. I will use data collected through semi-structured and in-depth interviews, as well as from focus groups about

collective bargaining agreements. This kind of empirical approach to labor relations, which goes beyond the presentation of formal mechanisms and institutional infrastructures, will allow me to describe workers' experiences, the meanings they attribute to those experiences, and the practices they develop according to a particular institutional configuration—that is, the subjective appropriation of a particular model of production and trade union policy.

I will focus on labor relations in two automotive plants: Teksid Hierro de México and Honda El Salto. Teksid Hierro de México is an Italian company owned by the Fiat-Chrysler Group (FCA), which operates in Italy, France, Poland, Mexico, Brazil, and China. In Mexico, Teksid began operations in 1996, in Ciudad Frontera, Coahuila, a Mexican state on the Texas border. Teksid produces monoblocks, which are exported mainly to the USA, Brazil, France, Japan, Germany, and Argentina. Teksid Hierro de Mexico employs 1200 workers, 900 of whom are unionized by the Mexican Confederation of Workers (CTM), and 300 of whom are not unionized. The FCA group in Coahuila has five plants and more than 6000 workers, while another 3000 are employed in three factories located in Toluca, close to the capital. Honda El Salto employs 2000 workers, who produce various models of vehicles, including motorcycles and auto parts. The Japanese producer also has a presence in Celaya Guanajuato: a factory that opened in 2013 produces auto parts with 3200 workers, a second, with 1500 workers, began production in 2015. Like Teksid, all three Honda factories are also unionized by the CTM.

The selection of the sample factories responds to four main criteria. First, in order to have a representative view of labor relations in the automotive industry in Mexico, I decided to focus on both branches of the auto sector: assembly and parts. Traditionally, workers employed in assembly plants enjoy better wages, working conditions, and social benefits. However, according to worker testimony, union management provides a certain homogenization of labor conditions in the two plants, despite extreme differences in the production processes. A second relevant criterion in the definition of the sample is geographical position: Honda el Salto and Teksid Hierro de México are located near two of the main clusters of the automotive industry in Mexico. In Coahuila, there are 104 establishments dedicated to automobile and auto parts manufacturing, which provide 60,000 direct jobs (De Los Santos Gómez and Rentería Beltrán 2014: 197). Honda El Salto, despite its placement in a relatively small industrial park, acquires geographical relevance due to its proximity to Honda Celaya, located just 200 km away in the Industrial Logistic Corridor of Bajío, together with Daimler, Mercedes, Nissan, General Motors, Volkswagen, Pirelli, TRW, Mazda, Toyota, and Ford (Moreno-Codina 2015). In addition, the opportunity to focus on one factory from Japan and one that combines European and American automotive traditions also influenced the selection, as it offers a broad overview of transnational actors in Mexico. Finally, both plants are emblematic of the struggles for the democratization of union relations that have spread in the automotive sector and in the broader context of the manufacturing industry in recent years in Mexico.

## 7.4 “Our Weapon Is the Decision.” Histories of Struggle in the Automotive Industry in Mexico

Despite extreme vulnerability to the aggressive repression perpetrated by both companies and trade unions, Mexican autoworkers have developed original strategies of resistance to improve their working conditions, transforming the system of industrial relations. Honda and Teksid workers, like workers in many manufacturing plants over the last four years in Mexico, are fighting for the right to vote democratically for a union. This is a right established by the Federal Labor Law and by Article 123 of the Constitution of the United States of Mexico, ratified by ILO Convention 87; however, according to the interviews, actual trade union practices fall far from the prescriptions of Mexican and international labor law. At both Teksid and Honda, workers’ demands for democratic participation manifested in wildcat strikes in protest of benefit cuts. The mobilization for the recognition of economic benefits, in the face of the total lack of support from, and even repression by the union, has become a political struggle for freedom of association as well as for workers’ labor and human rights. However, the practices and strategies of struggle had to adapt to the structures and processes that characterize labor relations in this context, moving away from more traditional procedures of negotiation. Because of the lack of democratic participation, workers had to develop horizontal and clandestine practices of struggle and negotiation to put pressure on the companies and the union, influencing the decision-making process, the management of the production process, and the rhythm of work.

The most common forms of struggle are ways of slowing down production: sabotage, machine breakdown, pillage, and absenteeism. These strategies both articulate a clandestine daily struggle and preserve the anonymity of the actors. However, the interviewees emphasized the insufficient results of these practices because of the authoritarian reactions of the companies, which respond to slowdowns with obligatory overtime. The most effective instrument of struggle for the workers interviewed was the wildcat strike. In Mexico, there is a distinction between strikes and wildcat strikes: strikes are collective labor disputes led by unions in which workers stop working according to the terms imposed by the JCyA, while wildcat strikes are spontaneous and autonomous protests of the workers, who dissociate from union leadership and/or do not respect the conditions defined by the Arbitration Board. When the union and JCyA are in collusion with the company, it is almost impossible to strike, unless in response to a specific corporate requirement. Indeed, despite the growing number of wildcat strikes in the last four years, the Secretary of Labor and Social Welfare celebrated six years of Labor Peace in May 2017:

In the six years of the Enrique Peña Nieto government, thanks to the dialogue between the social parts, there were no strikes. (Alfonso Navarrete Prida 2017, STPS)

Only one-quarter of the hundred workers in a sample selected from three plants in Ciudad Frontera experienced a strike throughout their work history, while more

than half have joined at least two wildcat strikes. The statistics on collective disputes handled by the government, tendentiously named “*Paz Laboral*” (“Labor Peace”), register only the strikes, through data provided by the JCyA, making other collective resistance practices invisible. The invisibilization of conflicts not led by labor institutions is more than a mere methodological problem, since it allows for the celebration of social peace, legitimization of government policies, and attraction of foreign investment while also authorizing violent and illegal repression of protests (Marinaro 2016). In what follows, through workers’ narratives, I will present a brief account of these struggles at Teksid and Honda.

#### *Teksid Hierro de México*

We started to organize clandestinely, we got together at the plant during the night shift... very carefully, because they monitor us with video cameras. We passed messages and flyers hidden in the sandwiches, so they wouldn’t notice. Then the operator who delivered parts and tools in the different areas of the factory spread word to the other comrades... It was outside the law, we were doing it for ourselves, because we didn’t even know the union existed.... from the first day of struggle, we decided to rise up more than anything to be heard.... about what we didn’t want anymore: that we were being controlled by a mafia, that we no longer wanted it in the company. We took off the blindfold we had on our eyes, that’s behind us... We fight against the union! We are no longer afraid! Our weapon is the decision... the decision to change unions. (Interview with Ex-Teksid Worker, October 2015)

On April 16, 2014, at seven o’clock in the morning, the autonomous movement of Teksid paralyzed FCA group’s factory in Ciudad Frontera. According to worker’s testimony, the goal of the strike was “to be heard” and “to change unions,” in other words, to participate in the decision-making process and the democratic election of the union. The night shift workers and those who started in the morning set up barricades and blocked the gates of the factory. Local solidarity networks provided legal advice, food, media covering, and logistics.

The CTM union, paradoxically, played a central role in the repression of workers’ movements, strategically coordinating with the JCyA, the local government, and the companies. During the third day of the wildcat strike, Teksid workers were invited to the JCyA to negotiate with the company, the CTM, the Chairman of the Arbitration Board, and the State Governor. When the delegation of workers, made up of eight men and women, left the board, they encountered hundred men who violently attacked them, attempting to intimidate them into giving up the fight. The workers saw the collusion of the JCyA authorities in the aggression:

When we were there, the chairman of the board came in and told us: can you move the trucks? Because a trailer is going to park. Can you put them back there? And we went out to move the vans. Well, when we got back in the parking lot, there were the attackers.... and not a police man in sight. (Teksid Workers’ Interview, December 2014)

The attackers were recognized, photographed, and reported to the authorities as members of the CTM. Regardless, as of the time of writing, law enforcement officials have taken no action.

After the attack, workers returned to the plant and decided to resist with the wildcat strike. Thanks to the advice of the local chapter of the Mining Union, they

reached out to the global union network of FCA, which was holding a meeting that same day in Turin, Italy. The transnational trade union platform addressed a letter to the CEO of Teksid Hierro de México pointing out irregularities and expressing solidarity with the workers. It was due to the timely support of the international organization that the workers achieved a second negotiation at the factory. This time, workers apparently succeeded: they won the distribution of profits according to the law, the reinstatement of dismissed workers, the payment of the wildcat strike hours, the right to elect a union through a secret vote, and an assurance of no retaliation from the company. However, more than three years later, apart from the distribution of profits, the company has not respected the agreement: it has again ratified the collective agreement with CTM, without elections and through proceedings completely unrelated to the lawfully defined protocols; it has fired more than two hundred workers involved with the movement, who were then blacklisted and denied access to jobs at any other companies in the state of Coahuila; and it has attacked workers several times both inside and outside the factory. Since September 2014, Teksid workers, with the Mining Union’s legal advice, are in an ongoing trial against CTM and the company for the right to vote for the union. As of today, the Arbitration Board has not announced a decision.

## 7.5 Honda El Salto

In 2010, Honda workers started organizing to form an independent union: *The United Union of Mexican Honda Workers STUHM*.<sup>2</sup> It was only after two years of struggle that they achieved recognition by the Arbitration Board.

In 2010 we started to organize... but the managers figured that out and fired those who participated. They came to the meetings, took pictures and then fired people... Then we had to hide, we started having meetings and organizing clandestinely. (Former Honda Worker, April 2017)

Management of the visibility of the movement, as in the case of Teksid, has been a central issue for the Honda workers. The selection of meeting places, communication strategies, and practices had to be decided carefully to protect the jobs and safety of members of the movement.

When we held meetings or joined union trainings, we started to invite trustworthy colleagues one by one, we held the meetings in a private house and we met one block away, to protect the house and the family that lived there... we had no choice but to move secretly...

...Finally, we started to use paper bags to cover our faces, we made holes for the eyes and we put them on as masks... so we could join meetings or marches, like May Day, or press conferences... this way the company could not fully understand who you are... (Interview with Former Honda Worker, June 2017)

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<sup>2</sup>See footnote 1.

Once the union was recognized by the Arbitration Board, the election did not proceed until 2015. For three years, STUHM's supporters have been fiercely stigmatized and harassed inside the plant; they have suffered frequent displacement to heavier work, constant shift changes, and confinement in isolated areas; and in many cases, they have been laid off. The workers have been victims of aggression by men from the union and have been arbitrarily arrested and tortured by police and the military officials.

Throughout these two years many things happened... they've fired many.....they beat up some comrades, police broke the windows of their van and shot tear gas inside, they handcuffed them and took them into a patrol car for leafletting outside the plant...they've made false accusations of homicide...a police officer even broke a window and stuck a gun into a truck to intimidate some comrades...the governor sent us a letter telling us to surrender, to back down...otherwise something worse was going to happen... One of our comrades was arrested while he was leafletting outside the company...they put him in a truck...they took him out of the city to frighten him and denigrate him for a whole day...  
(Former Honda Worker, April 2017)

After five years of resistance, the Arbitration Board announced the date of the election in 2015. The long wait of the Honda workers ended with a communication that defined the parameters of the vote, which was to be just three days after the pronouncement.

Fraction VI of Article 931 of Mexican Federal Labor Law (LFT) states that the vote must be free, personal, secret and direct, and that only the unionized workers of the business may participate.

... We asked for a neutral place that was not inside the company, but the governor didn't care....for months before, they were intimidating people saying that if STUHM won, the company was going to close.

They submitted a fake list of voters...in which there were dead people, people who no longer worked at the company, Japanese workers, people from Honda Celaya, cleaning people, clerks... we revised it, but even so, they submitted that original list for the vote... They brought in the army, federal police to intimidate workers. We brought in international observers from the US and Canada but the company didn't let them in... At the end of the day, the CTM won the election, but it was a fraud. (Honda Worker, April 2017)

Sections IV and V of Article 123 of the Constitution state that employers cannot actively participate in trade union disputes. Regardless, the fraudulent list of voters, the inclusion of workers from Honda Celaya and the exclusions of international observers point to clear interference of the company in favor of CTM. Despite the exclusion of observers, international solidarity has been fundamental, as in the case of Teksid. The support of international unions guaranteed the FCA workers certain protections against threats and aggressions by CTM, as well as a new negotiation and an agreement with the company, although it was not fully respected. In the case of Honda, although the elections were not successful, the achievement of the election itself represents a significant step forward for workers' struggles against precariousness in Mexico.

International support has been very helpful, because even the government itself has abstained to disappear us, intimidate us, kidnap us, beat us... IndustriALL has denounced everything to the ILO. We went to Switzerland, because the government sends its representatives, they go there and say that everything is wonderful here in Mexico, that all workers are ok, that laws are respected...

We are also building solidarity networks in Latin America, with Brazilian and Argentine unions in Honda factories, in order to be aware of what is happening in other assembly plants. Our goal is to build solidarity, supporting each other, for example, if something happens in Brazil, we would strike to support them or we would commit to another manifestation of solidarity... It is still difficult to keep in touch with the comrades, because we don't know any Portuguese, but there are NGOs that advise us... Comrades came from Canada and the United States and so on... (Interview with former Honda worker, June 2017)

Thanks to international solidarity, the Honda workers' achievement surpassed the specific ambitions of the employees of that factory and benefitted all Mexican workers, leading to modifications in the structure of production relations. Pressure from IndustriALL Global Union lies behind the ILO's 2015 recommendation to the Mexican Ministry of Labor. In 2016, after some initial resistance, the Government of Mexico announced a major labor reform that would finally eliminate the corrupt JCyA.

## 7.6 “¡We Want a Change!” Workers’ Antagonism to Employer Protection Unions

Workers' narrative accounts show us the practices through which this model of labor relations takes place on the shop floor, the definitions elaborated through daily experience, and the strategies of struggle developed to build spaces of democratic participation that resist precariousness. The corporations, the government, labor institutions, and the union, according to workers, constitute an alliance that defends transnational capital. The union plays a central role in the facilitation and protection of foreign investment, as the coordinator of different subjects involved and the agent responsible for direct action, in many cases illegal and violent, against independent movements. The articulation of territorial structures of collusion, according to workers, is a peculiar feature of employer protection unions and of labor relations in the Mexican automotive industry (Marinaro 2017).

On the other hand, workers develop creative strategies of struggle to face the regime that characterizes production relations. Experiences of conflict, insubordination, and the rejection of domination through the establishment of opposition power characterize a process of antagonistic political subjectivization (Modonesi 2016). In other words, workers' histories of struggle contribute to the construction of a collective political identity, which then feeds back into the conflict. Workers' antagonism, as the interviews show, is directed primarily toward the union, while the companies comprise a secondary objective. The movements demand the democratic election of a union as a way to reconfigure power relations without

directly questioning the multinational auto corporations. The antagonism is articulated in a peculiar system of practices of politicization, organization, mobilization, and articulation (Modonesi 2016), consistent with the structure of production relations. Wildcat strikes are considered the privileged instrument of mobilization, since they avoid the institutional protocol that gives control to the JCyA and the union. To sustain the struggle beyond the stage of the wildcat strike, management of movement's visibility is a fundamental strategy. Different policies of visibility characterize various phases and territorial scales that articulate the struggle.

We must act clandestinely until we build the consensus and the necessary strength to face the company and the union. Until then, we have to act underwater... (Interview with Teksid union adviser, January, 2015)

At the local level, workers are forced to act clandestinely to protect their lives and their families, while international visibility of the conflict guarantees monitoring of human rights, thanks to the support of global unions and NGOs. Clandestinity and isolation at the local level, then, go hand in hand with the construction of international visibility and solidarity. This strategy allows for constant redefinition of the scale of the struggle, reconfiguring the system of power relations according to the movement's most immediate objectives, whether they are local resistance or international offensive. At the local level, the Honda and Teksid movements continue to fight for the right to democratically elect a union, while international pressures result in important achievements at the national level that transform the structure of production relations through a labor reform plan that will eliminate the JCyA.

It should be noted that, in the two movements, different conceptions of trade union democracy—that is, of the most effective institutional infrastructures to guarantee a balance between trade union politics and collective interests—result in different strategies, objectives and preside to the construction of diverse political subjectivity. In the case of Honda El Salto workers, the fight was for horizontal participation and for the constitution of a grassroots organization led by workers and advised by NGOs. Honda workers created an independent union, building an important network of international solidarity that has constantly monitored and supported their struggle. STUHM also achieved a union election, although it was unsuccessful because of numerous irregularities. Despite the failure of the elections, the organization kept experimenting with new strategies and creating alliances to grow and build international consensus. Subalternity has been challenged in the conflict, through antagonistic struggles that have resulted in the construction of spaces of union autonomy.

On the other hand, the goal of Teksid workers was affiliation with the Mining Union, which, compared to CTM, is known for providing better benefits and broader participatory processes. At the same time, the Miner is a strongly bureaucratic and vertical organization, hierarchically structured according to a conception of authority that is a residue of the corporate era. The relationship between Teksid workers and the Mining Union is clientelar and without political identity: workers receive legal advice and international and economic support in

exchange for their votes should there be a union election. Since the end of the wildcat strike, workers delegated their political agency to Mining Union, excluding themselves from the decision-making process and losing all democratic achievements. Teksid workers are still waiting for a JCyA response, reproducing their initial, subaltern position. Between the worker base and the national committee lies an unbroachable distance. The level of bureaucratization of the Mining Union national committee, however, is not the reason for this detachment, but rather its justification—the argument offered to workers to legitimate the prevarication of collective interests by a small group of individuals.

From a theoretical standpoint, the case of the Teksid labor movement shows the limits of the categories of bureaucracy and democracy in comprehending the reality of trade union processes and emphasizes the need to look empirically at the power relations that underlie these analytical instruments in order to offer genuine historical analysis. The political subjectivity of workers, far from being defined once and for all as dominant, antagonistic, or subordinate according to the classification of more or less “democratic” protocols, is a constantly changing combination of these dimensions. As for political implications, the experience of Mexican autoworkers suggests that even in organizations considered extremely “undemocratic,” workers can build horizontal and collective practices of negotiation and processes of participation, developing international solidarity to fight against precarity, facing corporations in different territorial scales. The achievement of the labor reform illustrates the possibilities of workers’ agency and its capacity to transform the structure of production relations in a context that was considered emblematic of the insurmountable limits on collective action.

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# **Chapter 8**

## **Organizing Informal Female Workers in India: Experiences from the Construction Industry of Mumbai**



**Kadambari Chheda and Anuradha Patnaik**

**Abstract** In India, large numbers of informal workers fall outside the legal structure that guarantees basic rights to its workers. Traditional unions in India were limited to addressing the issues of formal workers, whereas large-scale informal workers were neglected. Understanding the rising issues of these workers, several informal organizations outside the purview of formal union structure, like NGOs, self-groups, MBOs, were established. These organizations were popular amongst informal workers as they had better relationships with the local community and workers. They created leadership amongst the local workers giving them advantage over other formal unions. However, low experience, proficiency, resources, skills, and political-will were the major drawbacks faced by these organizations. In a rising wave, 'all-women' unions too played a substantial role in uniting informal female workers in India. As women form a major share of working-class in India, these organizations have made a huge impact on the overall working-class struggle in the different parts of the country. The present study attempted to comprehend on such 'all-women' organization unifying numerous female construction workers in the Mumbai city. The chapter briefly discusses various steps taken by the organization to create collective actions for empowering female members such as providing advocacy, creating female leadership, raising gender-specific work rights, building specific 'charter of demands' for female workers, linking the organization to various other organizations. It was largely witnessed that organization's overall attempts has considerably assisted in improving status of female workers in the labor market and within the community. Overtime, the organization has restructured its processes to varying socioeconomic conditions and fluctuations in the institutional settings. The future prospects of such organizations largely depend on their unification with other similar organizations to increase their overall membership and learning from each other's experiences. Also, proficient management and strong advocacy are required to withstand and strengthen the overall working-class struggle.

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## 8.1 Introduction

In the era of globalization, there has been substantial restructuring in production arrangements of emerging economies like India. Such reorganization within the economies has led to severe competition among various employers, leading to adopt cost-reducing techniques, which majorly comprises of employing cheap and flexible informal labor. However, existing massive share of ‘informal’ labor force is not something significantly novel for India. The enormous and diverse population of India has endured eras of foreign rule employing informal labor; and even today, large numbers of workers are informally employed due to neoliberal policies of state leading to capital accumulation. During the early years of independence (early 1950s), merely 2% of workers had formal employment, and at present, about 92.5% of workers in India are informally employed, which means only about 7.5% workers are enjoying formal regular jobs with social security benefits.<sup>1</sup> The working conditions of majority of informal workers in India are highly precarious, and they face issues of low wages, no job or social security, irregular working hours, improper safety conditions, poor support from unions, and lack of legal protection or government support.

Owing to the traditional patriarchal mindset of giving secondary treatment to females, female workers are placed at the *bottom* of the labor market pyramid in India. Ignorance, traditional attitude of society, lack of skills and education, dearth of assets, and absence of equal opportunities within private and public sphere have forced majority of female workers into ‘*less productive*’ and ‘*lowest tier*’ jobs. Today, about 95% of female workers in India are informally employed, which has remained more or less the same since 1990s. Among all, poor female migrants form the most vulnerable section of workforce in India. They are often characterized as ‘*triple-disadvantaged*’ due their ‘*migrant*’ status, in addition to burden of being ‘*women*’ and ‘*informal labor*.’ They face horrendous working and living conditions due to *absence of legal mechanism* that provides them appropriate ‘*identity*’ as workers, besides severe *poverty* and *denunciation by local bodies and residents* for executing local rights, like access to housing, water supply, voting rights. Due to severe economic conditions, female migrant workers succumb to the exploitation and barely raise their voices. Formal unions in male-dominated labor market of

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<sup>1</sup>Sectoral extension agreements where contract terms in union workplaces are extended by government decree across a firm type in a given locality, or sectoral bargaining models where labor councils bargain with employers associations or representative firms and the terms are imposed across the sector. These models have been used in different jurisdictions in Canada are still on the books in Quebec. Sectoral bargaining is still prevalent in the construction sector in Canada, where it was imposed by government to protect weak firms against strong unions.

India have been ineffective in addressing the issues of informal workers, especially female workers. Growing perilous circumstances at the workplaces have pushed informal workers to initiate an alternate form of struggle that enunciates their unique labor-based interests and attempts to improve their basic security. In India, new forms of organizations of informal female workers are emerging to address their grievances specifically. Various organizations, outside the purview of formal union structure, *like NGOs, self-groups, MBOs* are helping them to acquire their basic worker's rights. *Firstly*, in the present study, we discuss the functioning of most prominent organizations that are uniting informal female workers in India to address their grievances. These organizations were originated primarily to raise voice against negligence of various employers and formal trade unions, toward the *needs and rights* of female workers. Women workers involved in informal occupations such as home-based work, construction activities, manufacturing employment, rag-picking, domestic-help, street vendors are part of these organizations. These organizations are chiefly all-women associations, whose *leadership* and *administration* are exclusively under their control. Main objectives of these organizations include: (i) obtaining equal rights and treatment in the male-dominated labor market, (ii) capacity-building of female workers to secure firm position in the competitive market (through provision of financial assistance, skill-development, etc.), (iii) raising awareness about the importance of collective bargaining, (iv) assisting women with other issues (relating to child care, domestic violence, health emergencies, financial instability, etc.). The main operational undertakings of these organizations are in urban areas; however, some of these organizations have also been successful in penetrating in rural areas too. Also, they mainly target the state to improve worker's conditions and expect it to control and regulate the conditions provided by employers. These organizations usually come across several obstacles, such as: (i) low experience and expertise regarding functioning of unions, (ii) lack of proficiency in capacity-building, (iii) poor resources and skills to generate large-scale awareness, and (iv) lack of active political will. Although, organizations find it difficult to unify poor informal female workers into active union participation (due to their daily employment and family commitments), various efforts by these organizations are gradually making women realize the importance of collective-bargaining and its positive impact on their lives. The emerging role of female worker's organizations is quite significant in overall working-class struggle of India, as it creates awareness regarding the problems of female workers (who form a major share of working-class in India), and also form strategies keeping in mind the concerns faced while unifying them.

Construction workers have been worst suffering among the informal labor force in India. Female workers involved in this sector have the *lowest* status in the male-dominated industry. That is, employers largely feel that women lack aptitude and ability to work as equal as their male counterparts in the construction activities. Therefore, female workers are often pushed into lower-tier jobs in the construction industry and barely given any opportunity to receive skill training or higher paying construction jobs. Female migrant workers face the most vulnerable conditions among all the workers in the construction industry. Since past years, barely any

formal trade unions are actively addressing their issues. Recent *outsourcing* of labor through sub-contractors and other intermediaries have increasingly resulted in more temporary and insecurity of jobs for them. To comprehend more on the issues of female migrant workers, we conducted a study in the construction industry of Mumbai. Mumbai city is the financial and commercial capital of India. As it is one of the world's top ten centers of commerce in terms of global financial flow, it attracts massive supply of skilled and unskilled labor from all over the country for economic and social reasons. Migration has always played a significant role in population growth of Mumbai since early years. Due to growing urbanization, infrastructure and housing requirements of the city are constant. Therefore, there is a steady requirement of construction workers in the city. Large numbers of unskilled and poor migrant workers of India find employment in the construction industry of Mumbai. Female migrant generally migrates with their husbands and works in the construction industry of Mumbai. Maharashtra Mahila Mahasangh is striving hard for several years to organize informal female workers at large scale (which largely include construction workers). We interviewed founder members, leaders, and members of this prominent organization to understand various measures taken by the organization to unify female workers and also discuss the problems faced while uniting them, over the years. The remainder of the chapter is structured as follows: section two gives an overview of the informal female workers in India; section three discusses the different forms of organizations that are uniting informal female workers in India, outside the formal structure; section four elaborates the field experiences of the migrant female construction workers in Mumbai city, and further discusses at length the issues faced and measures taken up by organization, while uniting informal female workers in the city.

## 8.2 Informal Female Workers in India

The term *informal* was used for the first time by Keith Hart in the early 1970s, which referred to the wide range of activities that were not regulated, documented, or required government permission to operate (see Footnote 1). In most of the countries, growing *informalization* of workforce has been observed related to the reorganization of production, from a factory-based Fordist system, to the one that involves global networks of sub-contracting (see Footnote 1). It allows firms to evade labor regulations and collective bargaining and also avoid the costs of employee benefits and protections. Due to this, there is a significant deterioration in the working conditions and living standards of the informal workers (see Footnote 1). A peculiar characteristic of capitalist market economy is that it treats 'human labor' as commodity, and whenever there is no demand for labor, they lose out on employment (see Footnote 1). Growing neoliberal environment and its policies have led to persistent capital accumulation and rigid labor laws in India. This has increased the share of informal employment in the country significantly. The share of informal workers in India had increased from 92.5% in 1994 to 92.6% in 2000

and then further rising to 93.5% in 2005. At present, the share of informal workers in the Indian workforce is 92.5%. There is an increasing contractualization of workforce in the organized economy of India too. The share of contractual workers in the organized sector of India has risen from about 41% in 2000 to about 48% in 2005 and further to 58% at present (see Footnote 1). Historical stratification of Indian population based on caste-system (see Footnote 1) is often considered as one of the main origins of pushing *backward caste* (see Footnote 1) workers into informal work. These are the workers who often had the least access to the social, economic, and political resources than any other classes in the country. The largest share of informal workforce in India comprises of *manual construction workers, after agriculture*, which engages large-scale backward class individuals. Manual construction work is often considered as ‘job of lowly status.’ That is, traditionally, only the backward class individuals were allotted this kind of low manual work. Even today, about 86% of the construction workers belong to the backward castes.

In India, similar to other countries, there has been a large incongruity between venerated notion of the status of women and in practicality. Feminist scholars strongly reject the idea of class analysis (see Footnote 1) put forth by Marxism and neoclassical scholars (see Footnote 1). According to them, it deteriorates the position of women in the households as well as labor market. Traditionally, Indian society was rigidly hierarchical permitting little or no social mobility to women within the private or public sphere. This resulted in secluded life for women and denial of equal opportunities of education and employment. Although there has been a steady social reforms in improving the status of women in India, they still remain subordinate to their male counterparts in *accessibility* and *usage* of the resources. Studies have shown that women are looked down upon as *inferior workers* in most of the Indian industries. They are compelled to work for relatively lower wages, longer hours, substandard working condition, and with no job/social security benefits. Gender discrimination in India exists not only in terms of wages, but also in *access* to employment. Men are seen confined to regular and more managerial or technical oriented jobs, whereas women get employed mainly in the less productive work. They belong to the category of workers who are '*last to hire and first to fire*.' At present, about 95% of female workers are informally employed in India. Among the female informal workers, migrants are the most deprived section of workers. Women from poor economic households migrate either with their husbands or alone to earn their basic sustenance. They are often characterized as '*triple-disadvantaged*': as they are '*migrant*', '*women*', and '*informal labor*'. They face adverse working conditions such as longer working hours, lower wages, inadequate access to basic amenities, and social and political isolation. Wages paid to female migrants are much lesser than male migrants in every industry in India. In most cases, they stay at work sites or temporary housing (*huts*) due to unaffordability of local housing costs. Their working time is not fixed as often employers expect them to work round the clock. Female migrant workers feel more insecure due to deplorable housing conditions and irregular working hours. In most cases, contractors/sub-contractors employ them, and migrant workers are subject to

exploitation by these intermediaries. There are also complaints of sexual harassment of migrant women at workplaces by contractors, employer, or male counterparts.

### 8.3 Organizing Informal Female Workers in India

There is a growing awareness to organize informal workers in developing countries due to existing informal unions that unifies informal workers and facilitates in the overall working-class struggle (see Footnote 1). Unions and other worker's organizations face great challenges in organizing informal workers, as most of these workers are dispersed. Also, major share of poor informal workers often spent long hours at work, and time spent on organizing would make time loss for them. On the other hand, such informal organizations also struggle due to low experience, proficiency, resources, skills, and political will. There are specific challenges for organizations where women form the majority of those employed in sectors with the least income, security, and status. Despite various challenges, organizations uniting various informal workers are now growing in India. These organizations comprise of workers' associations, cooperatives, NGOs, and membership-based organization (MBOs). Also, there are few local and national formal unions that have recruited informal workers into their membership. Some of these organizations are simply distinguishable, while others are *combination* with the elements of the above mention organizations. Over a period of time, these organizations have restructured their processes due to varying worker's conditions and fluctuations in the institutional settings. The main goals of these organizations are: solidarity, representation, negotiation, collective bargaining, social inclusion, accessing or providing services, training and creating awareness about their worker rights.

Self-employed Women's Association (SEWA) and Working Women's Forum (WWF) are among the best-documented examples of female organizations in the informal economy in India. SEWA, initiated by Ela Bhat in 1972, is today the largest trade union of female informal workers in the world, involving over 2 million working poor women spread over 10 different states in India. Members are drawn from multiple trades and occupations and from all religious and caste groups. SEWA is the most influential organization of informal workers worldwide, having influenced policies, norms, and practices at the local, national, regional, and international levels. It is a pioneering leader of the international labor, women's and microfinance movements, and a member of the International Trade Union Confederation. Over the past three decades, SEWA has organized informal women into unions, community-based organizations, self-help groups, and cooperatives. It has been greatly effective in building solidarity among informal women in India. The main goals of SEWA are to attain *self-reliance* and *full employment* for women workers and their families, through a *dual strategy* of 'struggle' and 'development.' It assists in forming trade groups of female informal workers and provides opportunities for collective bargaining and developing the local leadership capacities. In urban areas, initially, SEWA focused on *organization* and *mobilization* of

women and resources, through negotiations with the local state and suppliers, whereas in rural areas, it tried to use traditional union strategies (such as negotiating with employers, involving local *gram panchayat/administration*, etc.) to organize. However, it soon understood that the traditional strategies in rural areas were ineffective as SEWA's rural membership had no bargaining power. SEWA then focused on increasing *local employment opportunities* for women to increase its rural member's bargaining power. SEWA also focused on developing institutions to provide financial services, social security, child, and healthcare to its members. *Access to fair credit services* was the most widespread demand of all informal female members, in which response SEWA decided to form its own bank. Today, SEWA's regular operations are managed by local leaders, and all SEWA institutions are democratically elected by its members. Members of SEWA report that after being associated with this organization, their regularity and security of work have increased (see Footnote 1). Financial services by SEWA bank have also helped them of being financially independent. Also, SEWA's interventions have led to structural changes, which have contributed to the mainstreaming of women's issues in development discourses and planning (see Footnote 1).

Working Women's Forum (WWF) in Madras is another successful organization in India for unifying informal women workers. It was started by Dr. Jaya Arunachalam, in the response to organize poor women living in slums and working as small-scale traders and vendors in Madras. **Working Women's Cooperative Society** was initiated by WWF in 1981, to promote social and financial independence among poor women. It targeted to assist the poor women workers to developed micro/small business by providing loans at low-interest loans. The managerial and organizational supervision of WWF is looked after by the members themselves, where they learn through *on-the-job* experience. There is at least one local organizer for 1000 members, keeping the Forum's direction always at the grassroots. The broad socioeconomic and political goals of WWF are: (i) creating a strong association of women employed in the unorganized or informal sector (ii) identifying and addressing the critical needs of working women (iii) mobilizing working women for joint economic and social action by exerting group pressure to demand their social and political rights (iv) improving the entrepreneurial skills of working women through training, material inputs, credit and extension services, and (v) organizing support for social services necessary for working women and their families (such as child care, education, health, family planning). The strong moral which adopted by WWF are: *pro-women, anti-caste/pro-secularism, and anti-politics* (strict avoidance of involvement of any party politics). Today, more than 5 million informal women workers are members of WWF.

Kerala is another important state in India which has most active organizations for uniting informal female workers in various sectors. *Penkoottam* (Crowd of Women), a pioneering union in Kerala of unorganized workers, was set up in 2009 and has over 6,000 female members. *Penkoottam* members include workers drawn from private healthcare and *anganwadis*, and shop floor assistants. The union has been emphasizing on issues like long work hours, absence of restrooms, ban on textile shop assistants from sitting during work hours. The union leader Viji

believes that the established trade unions are male dominated and hence are insensitive to the specific concerns of women workers; thus, it was necessary to have an ‘all-women’ organization.

One of the most celebrated struggles in recent times in Kerala was the strike by informal female tea worker’s strike in Munnar. It was widely recognized due to its gender impact on the state and formal trade unions. It gave a major warning to capital owners that the women workforce is now uniting to fight for their own rights. Thousands of women laborers on September 2015 converged in Munnar (the tea town in Kerala’s Idukki district), to express their anger and disgust with their employers and leaders. The women were their own leaders and they did not allow any political leader to join the protest. The unrest caught the trade union leaders, who consider the plantations their fief. Nine days later, the government and management of Kanan Devan Hills Plantations (KDHP) appealed for peace as civil society rallied behind the women. Politicians, conscious of the impending local body’s election, swallowed their pride and declared solidarity. A few women, leaders never before, represented the workforce at the talks. The union leaders signed the deal the women had negotiated. A higher bonus was agreed upon, and further negotiations promised higher wages and better work conditions.

Other successful organizations of informal workers in India are KKP KP and NASVI. Kagad Kach Patra Kashtakari Panchayat (KKPKP) is a famous organization of informal *waste pickers* in Pune city. This organization was registered in 1993 and has about more than 10,000 members, both women and men. KKP KP uses the twin strategies of *peaceful/non-violent protest* and *resistance and development of alternatives*, to mobilize around some of the key issues facing waste pickers. This includes campaigning for waste collectors to be regarded as ‘workers’ and waste collection as ‘work’ by local, state, and national government. It also struggles for organizing social protection (such as medical insurance and cooperative credit schemes) and integrating waste pickers into the doorstep collection and management of urban solid waste. KKP KP also mobilizes against the exploitation of waste pickers such as: redressing grievances, organizing boycotts against moneylenders, and fighting for compensation in cases of harassment. It has also established cooperative scrap stores to service the waste pickers and ensure better returns for them on the sale of scrap. National Association of Street Vendors of India (NASVI) was registered in 2003 to bring together street vendor organizations. NASVI provides a single platform to collectively struggle for macro-level changes that are crucial for the livelihood of around 10 million vendors, involving several women vendors, who are threatened by outdated laws and changing policies, practices, and the attitudes of those in power. NASVI has more than 540 member organizations involving over 3.5 lakh individuals. It is a coalition of trade unions, community-based organizations (CBOs), NGOs, and professionals. It has been successful in bringing issues concerning street vendors to the forefront and has been working closely with state and municipal bodies to push for the proper implementation of the national policies on street vendors.

## **8.4 Experiences of Female Workers in the Construction Industry of Mumbai City**

The construction industry provides an easy entry point to large migrant workforce (see Footnote 1). It is the second largest employer in India, after agriculture. It employs about 41 million workers in India, of which 95% are casual workers and only 5% are permanent workers (see Footnote 1). As per NSS (see Footnote 1) estimates, about 96% of construction workers do not have any kind of social security, about 94% are not eligible for any paid leaves, and about 97% do not have any written job contracts (see Footnote 1). Women employed in the India construction industry are engaged only in the unskilled and low-paying construction work (see Footnote 1). About 4.2 million women are engaged in construction industry of India among which almost 99% female are employed as casual workers. Government statistics and numerous studies have shown that migrant workers are majorly hired through labor sub-contractors in the construction industry. The migrant workers constantly move from one work site to another, being associated with the same subcontractor (middlemen) until they are competent to form their own networks. These middlemen hire new workers, commonly from their own native place. Thus, the migrant workers have to pass through the unfair channel run by the sub-contractors to get employment in the construction sites. Social interaction and unionization in this industry are hampered by the fragmentation of industry and feeble workers' and employers' associations. Female workers are generally under-represented in the trade unions for construction workers (see Footnote 1).

Mumbai city is one of the fastest rising cities in the world and the commercial and financial capital of India. It is the most populated cities of India and home to over 22 million people. Migration has always played a significant role in population growth of Mumbai city since early years. Even today, the city attracts massive supply of skilled and unskilled labor from all over the country. During early years of twentieth century, manufacturing sector played a vital role in the development of Mumbai city. It not only provided employment, but also acted as the force for creating wide range of services and financial activities in the city (see Footnote 1). These, in turn, generated the business agglomeration and manual labor pools, making Mumbai very attractive for public and private sector offices. Due to growing requirement of offices, infrastructure, and housing, there has been a constant need of construction workers in Mumbai city. Large numbers of unskilled and poor migrant workers find employment in the Mumbai's construction industry, as their first entry point employer. In Mumbai, there are three categories of enterprises in the construction industry: (i) large-scale, (ii) medium-scale, and (iii) small-scale. The large-scale enterprises in Mumbai perform the biggest infrastructure projects of the city. As they are reluctant to compromise on the quality of work, their recruitment and work procedures are quite different and stringent than the other two categories. Large-scale employers hire the workers with specific education qualifications and formal skill training. They barely recruit any female workers due to

typical mind-set of the employers that women lack the required physical ability, education qualification and aptitude for construction work in the large-scale projects. The recruited workers in large-scale enterprises receive all the statutory facilities like regular salaries, provision of safety equipment, medical treatment after injury, on-site training facilities, formal job contracts, education loans, social security, bonuses, and union support. Such typecast of women workers often push them into construction work with *only* medium-scale and small-scale enterprises.

The workers in the middle-scale and small-scale enterprises are recruited through contractors/sub-contractors without any specific requirement of education qualification or formal skill training. As they are recruited on contractual basis, they do not comprise under the legislative net. We conducted field research of 100 female migrant workers working at ten different construction sites in Mumbai. The construction sites were chosen by a *stratified random sampling* in the different locations of the city. This type of sampling assisted in presenting an extensive and comprehensive representation of female migrant workers. It was quite challenging to carry out the survey as employers and contractors did not permit the workers to respond to such surveys. Employers feared that workers shall give away the information regarding the low wages, wage differentials, inappropriate working provision conditions, etc. However, tactfully, the survey was accomplished. The research included in-depth interviews and group discussions with workers. We also spoke to the most active organization ‘Maharashtra Mahila Mahasangh’ (MMS) in Mumbai that has been actively participating in mobilizing the informal female workers (outside the formal trade unionism) to attain their basic rights at the workplace over few years now. It provided with great insights into the new forms of organizing emerging among female informal workers.

#### ***8.4.1 Demographic, Work, and Living Profile of Respondents***

As mentioned above, female respondents for the survey were selected through stratified random sampling. That is, we selected ten different construction sites in Mumbai city at different locations to observe the various groups of migrant workers. Migrant female workers were selected belonging to different states in India. We observed that almost all of the interviewed migrant female workers belonged from different backward states (see Footnote 1) of India. Some of the respondents were quite shy to respond to the interviews as they were not comfortable to reply in the local language. For such interviews, we took assistance of other fellow workers (belonging to their native place) to record their details. The interviews primarily aimed at comprehending socio-demographic, economic, and work-profile of female migrant workers in the construction industry and also understand their working and living conditions at new migrated place. We also held

group discussions to understand their opinions regarding the advantages and advantages of joining worker's organizations.

We firstly observed that female migrant workers in the construction industry of Mumbai comprise of one of the poorest and weakest segments of society. They were economically quite poor and mainly belonged to backward social castes. Recent reduction in agricultural activities due to growing industrialization has led to greater landlessness among numerous poor and marginal farmers lately. They are forced to find alternate jobs for themselves to sustain their households. As they do not possess any other skills, they end up working in the unskilled manual construction work. As construction sector provides *easy entry* for unskilled workers like them, this job is an easiest option for them. Female workers either join construction work near their villages or they migrate with their husbands to the cities. They work with their husbands on the work sites and often feel insecure in the male-dominated construction sites. They are mainly hired as *helpers ('begari')* on the construction site, which the lowest tier and least paid job in construction industry.

Major problem of the respondents after migration was '*deplorable living conditions.*' Respondents lived on the *work sites* in temporary *huts*, where provision of ventilation, drainage, sanitation, lighting, drinking water, lavatory, and electricity were either of poor quality or absent. We observed that in spite of the presence of legislative measures, majority of the employers and the contractors fail to provide *minimum working conditions* to respondents at the workplace. Safety equipment were barely provided to any of the respondents. Basic first-aid facility was not provided to several respondents, and in case of work-site injuries, they were provided quite inferior quality of health facilities. Half of the respondents were not receiving the prescribed minimum wages, and several were unaware of their legal laws prescribed for them exclusively (see Footnote 1). Also, most of the respondents were not eligible for any paid leaves or overtime wages. *Irregularity in children's education* is a vital problem stated by the respondents. The children's education was generally hampered due to constant movement of the parents. The respondents strongly felt that the state should take steps in protecting their children's education.

#### **8.4.2 *Organising Informal Female Construction Workers in Mumbai***

Nirmaan Mazdoor Mahasangh (NMS) is one of the early organizations which strived to organize informal construction workers in Mumbai city. It was initiated in 1990 and used a unique approach that combines the elements of social movement unionism and the critical educational approach of '*praxis*' and '*dialogics*,' advocated by Brazilian educationist Paulo Freire in the 1970s (see Footnote 1). NMS was an initiative by students of social work department (Nirmala Niketan, Mumbai)

in 1986, who were working on project *Nirmaan* for improving the welfare of migrant construction worker's children in Mumbai. The project initially focused on providing mobile crèches facilities for construction worker's children; however, within no time, the project *Nirmaan* moved beyond welfare activities to take up the problems and challenges of the construction workers in Mumbai. The main goal of *Nirmaan* was to combat the unfair system practiced in the construction industry perpetuates against poor and voiceless construction workers. *Nirmaan*'s intervention was critical as for the first time a 'group' was developing common strategies and collective identity among workers at different construction sites and creating awareness among workers to combat the exploitation by the industry (see Footnote 1). In this process, *Nirmaan* decided to form an organization, Nirmaan Mazdoor Sanghatana (NMS) in 1990, to operate at larger level. It decided to unify the workers and refrain from any political assistance. The main aims of NMS were (i) creating awareness among construction workers regarding their basic rights (ii) mobilizing workers to demand better wages and favorable working/living conditions (iii) bargaining and negotiating with the contractors and the sub-contractors, (iii) advocacy, lobbying and unionizing the construction workers. A brief meet was conducted with the founder member of NMS. During the initial years of NMS, the core team helped the member workers to form an association and trained them to create *leadership skills* to positively influence other workers to join them. Today, entire leadership is in hands of member workers, which consist of about 50,000 construction workers mainly in Mumbai and also few other districts in Maharashtra. Member workers chose different leaders among themselves, who have experience of the different processes of union formation and functioning of unions such as administration, registration, finance handling, political processes. These leaders therefore assist the member workers in the smooth functioning of the organization. The core team assists members with advocacy, legal procedures, and forming *charter of demands*. At present, the main goal of NMS is to create awareness among the construction workers regarding Building and Other Construction Workers Act (BOCW) (see Footnote 1) and get them registered with it. When asked founder member regarding the union formation of migrant workers, he said that during initial years of NMS, they started unifying migrant construction workers; however, organizing them was inherently difficult due to two reasons: constant *dispersion* of migrant workforce and their *nature of recruitment*. That is, an *union* requires workers to be *stable* at single place to organize other workers for future struggle (which is difficult for migrant work force), and secondly, as migrant workers in construction industry are generally recruited by *Thekedars* or sub-contractors, their interest was to have good relationship with *Thekedars*, and they are unwilling to lose the *work security* by joining any kind of unions. Although for improving the welfare of migrant worker the Inter-state Migrant Act (1979) in India is amended, there are several loopholes in its implementation. The main loophole is that the registered workers receive all the amended benefits (see Footnote 1) at his/her native place and not at the place of work. This mainly discourages the migrant worker, to register with the Act. NMS is struggling against

state to modify this law and provide a '*common identification*' code for migrant workers, but still it is a far-fetched struggle.

Female workers are more sincere and dutiful than male counterparts; however, they often receive lower wages than men in the construction industry. The *patriarchal mindset* of employers is the main hindrance for creating low status of female workers in the labor market. NMS felt that there was growing necessity to create a women worker's forum to bring them into leadership forefront and address their gender-specific issues. It was necessary to have a separate association of women as they were not appreciated by their male counterparts in the old existing unions, due to stereotyping mentality. Only solution to these issues was to start an *all-women* organization. *Maharashtra Mahila Mahasangh* (MMM) was created by the same organizing body (NMS) in 2006. At present, this forum is inclusive of all informal female workers working mainly as construction workers and also scraps pickers, domestic workers, home-based workers, cleaners, etc. Gradually, small units of *Maharashtra Mahila Mahasangh* are spreading across different localities in Mumbai and other districts in Maharashtra, to create awareness of collective bargaining for women. About 3500 female construction workers are members of this organization, which mainly includes local and migrant naka workers (spot-market). A brief meet was conducted with the President of *Maharashtra Mahila Mahasangh*. We understood that the primary hurdle of their organization was to create *realization* among poor women regarding the *significance of collective bargaining* and *forming unions*. As female workers are '*double burdened*' (with employment and household activities), they find less time to participate in unions; thus, their union strived hard to create large-scale awareness among poor women. Secondly, the organization is involved in training and creating consciousness among poor women regarding their basic worker's rights, government policies, advocacy, and power of solidarity. Their core team is also involved in forming '*gender-specific*' charter of demands, as per the experiences shared of the female members. At present, the leadership of the organization is with female members themselves, and this has boosted their confidence tremendously. The core team is persuading female construction workers to get register with BOCW Act and fight with employers/contractors/state for *gender-specific* requirement like crèches facilities, regular work timings, safety facilities, maternity benefits, equal wages, and training opportunities like male counterparts. Main issue faced by several female construction workers was '*irregularity of work*.' The President of *Maharashtra Mahila Mahasangh* was of the view that '*work security*' is more essential for these workers as their entire household depends on daily-wages, and the days which they do not get work are often spent with no/less food in the household.

Another important initiate taken by the *Maharashtra Mahila Mahasangh* for female construction workers was *linking* them with: police stations, educational institutes, health organizations, and food security agencies. Such *linking* has helped them in following ways: (i) association with police has made female members feel more secured about their safety and exploitation at the workplace and even outside the work, (ii) association with educational institutes has made members more capable to provide education to their children, and also inspect the schooling

infrastructure, or exploitation of their children by teachers or other students, (iii) association with health institutes has helped to address the issues of illness, medical treatment of the family, work-related injuries (iv) association with food security agencies has arranged for regular, proper, and clean food for their families. The organization also actively assists the poor women members, especially migrant women in: (i) obtaining local identification cards, ration, card and voter's id (ii) political rights, and (iii) prevention against home-based violence, issues of dowry, sexual harassment, etc. Due to such help, female members (especially migrant women) feel more secured as they get *sense of identity* and *attention* within this organization. In the FGDs with respondents, we understood that poor women feel more empowered and confident when they are part of '*all-women*' organization. It is easier to discuss their issues in such organizations. Also, they feel free to discuss and put forth their views and suggestions in these organizations. Respondents said that initially, their bargaining power was quite low as they lacked confidence to ask for their rights to employer/contractors. However, being part of such organization has boosted their confidence, and now, they have become self-reliant. The power of solidarity has helped them to improve their and their family's future livelihoods. The final goal of NMS and MMM is to create 'Employment Resource Center' to provide official certification for informal construction workers as per their experience. This center shall provide *recognition* and *identification* to informal workers as *professional* construction workers (like engineers, doctors), which will improve their social status in the society. Also, they want to provide skill training to female construction workers to improve their bargaining power in the construction industry. Lastly, they strongly desire to provide female workers in construction sector with *equal* opportunities at workplace and dignity in the society.

## 8.5 Conclusion

In India, numerous informally employed workers face challenges, such as low and fluctuating incomes, precarious working conditions, and low social status. In addition to these issues, informal workforce is not adequately covered by any legal and social protection, making them more vulnerable. Growing evidences suggests that the working poor in the Indian informal economy, especially women, are now organizing to overcome these structural disadvantages, to build solidarity and improve their lives. The main goals of these female organizations are: solidarity, representation, negotiation, collective bargaining, social inclusion, accessing or providing services, training and creating awareness about their worker rights. The study firstly gives an overview of various active organizations in India that are unifying informal female workers. Construction industry provides employment for

many of the poorest and vulnerable female workers in India. As it is notorious for exploitation of deprived workers, we tried to comprehend the issues of the female workers working in this industry, who face the lowest status in this male-dominated precarious employment. A study was conducted in Mumbai city, to comprehend on the issues of female workers of this industry and the organization that is actively organizing them from past 11 years. Overall experience shows that: female workers strongly feel that only '*all-women*' organization understand their issues appropriately, as *gender-specific* issues get special attention in such organizations. Also, obtaining '*identity*' as workers and receiving *worker's rights* was among the main appeals of the organization from the state. The study briefly discusses different issues faced by the organization, their concerns, and approaches for building solidarity.

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# Chapter 9

## Digital Labour and Workers' Organisation



Jamie Woodcock

**Abstract** The rise of digital labour is changing how people work and provides new challenges for worker organisation. Beyond this, there is disagreement on what exactly constitutes digital labour and its impact more broadly. These processes are differentiated on a global scale, with different dynamics in the Global North and South. This chapter addresses these questions in two parts, drawing on the autonomist Marxist concept of class composition. First, it examines the technical composition of digital labour, looking at the organisation of digital labour process by capital. This covers four examples: customer service operators, software developers, outsourced moderation workers, and crowdsourcing workers, while also focusing on India and China. Second, it discusses the political composition of these workers, focusing on forms of resistance, struggle, and organisation. The example of software developers is considered here due to the role they play in creating and maintaining the software upon which other labour processes rely. The chapter argues that these components provide important insights into how capital is reorganising work through the application of digital technologies—these are situated as the result of class struggle, rather than neutral tools. It emphasises the potential of new forms crowdsourcing workers, while also focusing on India and China. Second, it discusses the political composition of these workers, focusing of resistance and organisation in a digital context.

**Keywords** Digital labour · Class composition · Resistance · Autonomist marxism

### 9.1 Introduction

The aim of this chapter is twofold: the first is to trace the shifts taking place with the growth of digital labour, while the second is to develop an understanding of the changing practices of resistance and the possibilities of worker organisation.

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The focus is therefore on the emerging class composition—the combination of the technical (the organisation of the labour process by capital) and political composition (the forms of resistance and organisation in and against the labour process)—across a range of divergent contexts. The chapter will use, as this analytical focus suggests, a heterodox Marxist framework drawing on insights from autonomist Marxism.

The first section of the chapter begins with a discussion of what we mean by digital labour, connecting it to pre-existing forms of labour, drawing attention to both similarities and points of departure. This is important because the category of digital labour is itself contested, particularly around its conceptual boundaries. Rather than understanding the digital industries—if it is possible to demarcate that specifically—as a post-Fordist shift within the limited frame of the Global North, this section seeks to understand how new forms of work emerge as part of a global labour arbitrage and are thus connected to processes taking place in the Global South. This section examines the shifts at the macro-level reorganisation of labour and capital both within and outside of the digital industries, drawing on examples from customer service operators, software developers, outsourced moderation workers, to precarious crowdsourcing platforms—to illustrate the dynamics of labour reconfiguration, looking particularly at India and China. Attention is paid to the imperatives of capital in this process: the new demands, the complexities of managing digital labour processes, and the way in which capital becomes deeply embedded in new technologies.

The second part of the chapter moves onto the political re-composition of workers engaged in digital labour struggles. This section focuses on the possibilities of organisation software programmers. The successes of capital in the management and exploitation of digital labour provide lessons that can be applied elsewhere; thus, it is also critical to find out what experimentations of resistance are being attempted by workers too. It is important to understand how software and the workers who make and maintain it are shaped by class struggle. The chapter then concludes by seeking to connect the political re-composition of software programmers to the broader division of labour that is involved in digital capitalism.

## 9.2 Digital Labour

Capitalism has been, and continues to be, marked by the ‘constant revolutionising of production, uninterrupted disturbance of all social conditions, everlasting uncertainty and agitation’ (Marx and Engels 1848). Or, in other words, capitalism is constantly changing. Previous structures or patterns of organisation that were once dominant become replaced with new forms, as ‘all that is solid melts into air’. It is important to understand that these dynamics, particularly those related to the introduction of new technology, do not operate independently from social relations and class struggle. These sweeping changes, discussed by Dyer-Witheford (2015: 11) as ‘extending from game studios to electronic assembly lines, conflict mineral mines and digital waste dumps’.

The most notable trend for understanding the global scope of worker resistance and the reconfiguration of labour is the shifting global labour arbitrage. Historically, manufacturing has mainly shifted from the Global North to the Global South, with processes of deindustrialisation in the UK, Western Europe, and the USA. While manufacturing has by no means collapsed in these areas (in part due to significant increases in the productivity of labour), there have been large increases in manufacturing output in China and India, for example. This experience in the Global North has been met with attempts to theorise the shift from industrial labour to new forms, for example ‘immaterial labour’ (Lazzarato 1996), ‘affective labour’, (Hardt and Negri 2004), ‘cognitive labour’ (Boutang 2011), and ‘emotional labour’ (Hochschild 2012), to name a few. While there is crossover between many of these terms, they point towards two important phenomena that are not necessarily the same. The first is digital labour, and the second is the growth of service work. The service industry or the existence of services within different industries is hardly a new phenomenon. For example, at the time Marx was writing there were more domestic servants than textile factory or metal workers in the UK (Jonna and Bellamy Foster 2016).

The second phenomenon that is identified is the increasing digitalisation of labour. This has created three interrelated changes for labour: new forms of digital labour, involved in the writing and maintenance of software, which can be conceptualised as labour creating the digital; new kinds of labour which have been created to fulfil new tasks in a digital environment, for example social media moderation or search engine optimisation, which can be understood as labour for digital platforms; the transformation of pre-existing forms of labour, for example the way in which office work has changed through the application of technology, which is labour using the digital. These broad distinctions within digital labour provide a sense in which exploitation and resistance can be better understood. At the core of digitalisation is a push towards automation, both from workers and capital. Digital technology—which is of course designed, developed, implemented, and used by people within the antagonistic relationship with capital—holds the potential to allow greater autonomy of workers, freeing up time to spend on more interesting pursuits. Conversely, for capital automation holds the potential for even greater surplus value extraction and the possibility of expelling more workers from the process.

It is here that the contribution of the Italian autonomist tradition is particularly useful, starting with an understanding of how capital attempts to ‘incorporate the working class within itself as simply labour power’, while the ‘working class affirms itself as an independent class-for-itself only through struggles which rupture capital’s self reproduction’ (Cleaver 1979: 66). The dynamic of the autonomy is expressed as ‘workers demand[ing] freedom from capitalist regulation’ resulted in the transformation of post-Fordism as ‘capital did the same thing, but in a reversed way’ (Berardi 2003). This can also be found in the emergence of video games under capitalism (Dyer-Witheford and de Peuter 2009; Kirkpatrick 2013), with their

beginnings in a refusal of work and a repurposing of business or military computers. What is interesting here is to try and connect these ‘lines of flight from authority’ that currently ‘are completely solitary’. Otherwise ‘the refusal of work’ is ‘in itself … empty’ (Hardt and Negri 2001: 204).

The struggle between capital and digital labour oscillates around capital’s need to ‘balance’ its ‘insatiable need for a stream of innovative ideas with the equal strong imperative to gain control over intellectual property’ and workers (Huws 2010: 504). One example of this is the push towards ‘automatic programming’, seeking to take the automating part of coding’s instructions and applying it back onto the process of creating software, aiming to achieve the ‘managerial ideal of ordered, assembly line software development’ (Ensmenger and Aspray 2002: 155). This threat of automation is often carried by headlines about robots arriving to replace workers, seen, for example, in the recent statistic that just under half of all jobs are at risk of automation (Frey and Osborne 2013). What is happening is a continuation and deepening of the process identified by Braverman (1998: 78), that once ‘mental labour is first separated from manual labour’, it ‘is then itself subdivided rigorously according to the same rule’. This can be seen with the rapid rise of high-frequency trading algorithms in finance. These ‘algorithms’, or ‘mathematical processes that allow machines to learn and improve their performance’, are formed through a process by which ‘workers’ knowledge is first routinized, then codified and transferred from its variable (human) component to its fixed, machinic form’ (Dyer-Witheford 2015: 178).

There is a risk of overemphasising the importance of digital technology, particularly as it becomes more and more ubiquitous in our lives. As Bifo argues, software code itself is not an autonomous force, as ‘in the beginning someone is writing the code, and others are supposed to submit themselves to the effects of the code written by someone’ (Berardi 2013: ix). Therefore, it is important to argue that ‘the pragmatic effects of the code are not deterministic, as far as the code is the product of code writing, and code writing is affected by social, political, cultural, and emotional processes’. It emerges from and is shaped by class struggle, while also being used an intervention into class struggle. The process is not uncontested, with ‘hacking, free software, WikiLeaks’ as examples of possible ‘lines of escape from the determinism of code’ (Berardi 2013: x). It is vitally important to stress that digital software is not neutral: although it is written by workers (and depends upon technology made by other workers), like industrial machinery, it has the imperatives of capital inscribed deeply within it. This does not mean that alternative uses of technology are not possible. However, like the possibility of taking control of factories, this also requires challenging and overcoming capital. What is needed is to ‘reveal some of the contradictions over production involved in working with code, in parallel to labor conditions and class struggle more broadly’ (Cox 2013: 40), connecting digital labour across global supply chains to understand new forms of resistance and workers’ organisation.

### 9.3 Tracing the Shifts in Production

Over the last two decades, outsourcing has become a prevalent relationship between the Global North and the Global South. Gartner, a business analyst firm, argued in 2003 that offshore outsourcing was a ‘must do’ for IT directors in Europe, citing the imperatives to reduce costs that the process involves (Huber 2003). Call centres have become the most symbolic (or even audible) example of the trend for outsourcing (Woodcock 2017). There were limited examples of trade unions responding to the threat of outsourcing in the UK—for example Prudential insurance cancelled its initial plans—but large companies like BT have followed this strategy (Taylor and Bain 2004). Despite the outsourcing of functions of the telecommunications industry (or the telecommunication functions of other industries), there are important parts that cannot be outsourced. For example, in 2010 in the UK, BT workers in the Communication Workers Union (CWU) rejected a pay offer and 50,000 workers were balloted for strike action. Although the strike did not go ahead, this could have led to thousands of engineers—and the call centre workers that customers rely on to reach them—refusing to support BT’s network (Flinders 2010). The risk of network failures during the strike could have had significant impact. As the head of public affairs at the Federation of Small Businesses explained, ‘if BT services go down, there could be lost business which could be fatal for some’ (quoted in Flinders 2010). A similar struggle broke out in the USA recently, with 39,000 Verizon and Verizon wireless workers taking strike action. The demands focused on offshoring of call centre workers, outsourcing of contractors, and attacks on the conditions of workers who install and maintain the communication network (DiMaggio 2016).

### 9.4 Business Process Outsourcing

The wider trend of business process outsourcing (BPO) has often focused on India and the significant growth of this kind of industry. The combination of the processes of ‘transnationalization’ and ‘liberalization’ has allowed the ‘reach of capital via global markets into correspondingly open national markets’ (D’Costa 2005: 34) like India. The growth of the IT-focused business process management or IT-BPM (IT-business process management) now employs over 3 million people (Barnes 2015). It has led to the creation of an ‘emergent middle class’ (D’Costa 2005: 3). The ‘transnational interactive services industry’, with call centres in particular, is transforming both the conditions and aspirations of workers involved (Murphy 2011: 1). It also involves the added pressure of performing ‘authenticity’ to customers located in different geographical locations (Mirchandani 2012), and the ‘depersonalised bullying’ of the workplace environment (D’Cruz and Noronha 2009).

The relocation of call centres often follows linguistic lines that trace the history of imperialism, seen for example with outsourcing from Britain to India

(Huws et al. 2001). As well as physical relocation, this also entails virtual outsourcing, for example, with ‘firms routinely reroute calls from UK to Indian centres when UK operators are busy, at night or weekends, or when overtime rates apply at home’ (Glucksmann 2004: 807). The viability of this kind of outsourcing is both ‘organizational’ and ‘spatial’, taking in ‘industrial and organizational divisions of labour’ which ‘enmesh with global divisions of uneven development’ (Glucksmann 2004: 801). The companies that first adopted these methods ‘gain competitive advantage through technical innovation and the enhanced creation and realisation of value’, but ‘imitation by others can see this advantage eliminated as the benefits are shared by all’. Once these become used more broadly, the ‘only way to continue to compete is to use the now established, work system more intensively’ (Ellis and Taylor 2006: 6). This tendency of relocating call centres to India ‘should be regarded as an extension, however dramatic, of the spatial dynamic that is inherent in the call centre project’ (Taylor and Bain 2004), and one that ‘can not be abstracted from the dynamic of capitalist accumulation’ (Ellis and Taylor 2006: 6).

Despite the purported benefits of a growing service economy in India, there are signs of emerging class struggle. The Times of India ran an alarmist headline that ‘the last bastion has been breached’, referring to the reports of successful unionisation among IT workers employed by Tata Consultancy Services, the largest IT company in India (quoted in Barnes 2015). Similar arguments to those against unionising IT workers and programmers in the Global North (which will be discussed in more detail later) had been common beforehand. There have, however, been efforts to organise in the IT industry in India. As Narayan Ram Hedge, who works for the Union of Network International in India, argued, the ‘IT industry professionals in India are “cyber coolies”’ with clear concerns to organise around, but there is a need to ‘convince them on the need to form a union’ (quoted in Iype 2005). This is complicated by the current political situation in India, with the Modi government’s hostility towards trade unions, in addition to the ‘centrality of the IT sector to industrial policy and the power and wealth of leading IT industrialists’ (Barnes 2015). By no means does this make it impossible, rather that it is a difficult conjuncture to organise in, perhaps also stressing the need to do so.

Although it is easy to focus on the high-tech industries of BPO in India, Barnes (2015) also points out that there are much larger industries in India—for example garments, construction, and agriculture—that remain relatively unorganised. There are centres of union organisation within ‘old industries like steel production, shipping, and food distribution’, but Ness (2016: 89) also confirms unions ‘are all but non-existent in new sectors of the economy that are recipients of foreign capital: internet technology, business services, construction and new auto and electronics manufacturing installations’. A good example of this is the e-commerce industry which connects low-paid workers with capital via mobile applications. Platforms like Amazon, Alibaba, and Uber do not produce something new, rather than provide a new way to connect people (buyers and sellers) with products. In reality, these are not ‘immaterial networks … ideal virtual and decentralised marketplace [s]’, but involve ‘a massive concentration and centralisation process’. The platforms themselves rely on IT workers and logistics networks, the ‘material backbone’ of

these companies, and the ‘massive share-boom’ that is fuelling their expansion. However, in countries like India, there has been a ‘lack of investment in infrastructure by state and capital’, leading to congested road networks and precarious logistical arrangements (Angry Workers of the World 2015). This is exemplified in the complex tax avoidance/evasion measures of tech companies, resulting in American businesses currently holding \$1.9 trillion in overseas cash surpluses. This money is concentrated in digital technology firms, with Google having \$80 billion in cash, for example (Davidson 2016).

## 9.5 The Transformation of China

A second important global change can be found in the transformations that China has been through since the 1980s. With ‘the arrival of global and private capital into the export processing zones’, China became ‘transformed into a market economy under the wave of industrial relocation from advanced capitalist countries to the Global South’ (Ngai 2016: 5). The electronics and computers that digital labour (whether in the Global North or increasingly outsourced to the Global South) relies upon are increasingly manufactured in the Global South with China as a major exporter. Chinese workers make up 29% of the world total, and the costs are ‘as low as one-sixth that of Mexico and one-fortieth that of the US’ (Ngai 2016: 6). Over the past thirty years, China has continued to transform as ‘overproduction, increase of productivity, decline of interest rates, and technological innovation have created a shift of capital flows from manufacturing industries to property and financial sectors on the one hand’, resulting in a widespread changes, ‘but also increasingly the concentration of capital in manufacturing sectors such as electronics and car industries on the other’ (Ngai 2016: 3).

These processes are exemplified in the rise of electronic manufacturing centres like the Shenzhen export processing zone. In particular, there has been attention paid to the sprawling Foxconn factories that make components for consumer electronics like Apple’s iPhone. After a spate of worker suicides at the plant, the factory owners installed anti-suicide safety nets (Chakraborty 2013). The harsh conditions in which the 400,000 workers produced components became well known, with multiple shifts ensuring production throughout the day and night. Chan (2013) argues that the conditions are shaped by a combination of the company trade union and government policies, but that there is the ‘emergence of an alliance of workers, students, scholars and transnational labour movement activists who are campaigning for Chinese workers’ rights’ (Chan 2013: 84).

The contradictions of state capitalism in China are indicated by the fact that All-China Federation of Trade Unions (ACFTU) is the world’s largest, with around 288 million members. The reality of this figure is that ‘the vast majority of union members either do not know that they are union members or have little faith in the ability of the union to represent their interests’. Moreover, ‘the majority of enterprise trade unions are controlled by management and represent the interests of

management' (CLB 2016). There are very few examples of trade unions actually supporting workers against management in China, for example at Walmart in Changde in 2014. While the right to strike was removed from the constitution under Deng Xiaoping, there is 'no legal prohibition on workers taking strike action'. There are widespread (if rarely publicised in the Global North) strikes and protests across China. While the official trade unions are clearly not vehicles for worker self-organisation, over eighty civil society organisations have been established to support workers struggle, particularly focused in Guangdong. These 'organisations have taken the lead in helping workers formulate their demands, elect bargaining representatives, come up with a bargaining strategy, and maintain solidarity among the workforce'. There have also been examples of successful use of 'increasingly powerful tools provided by social media to put pressure on trade union officials in the region to support workers' legitimate demands' (CLB 2016). The emergence of 'this new class and its resistance politics' has the power to reshape class struggle on a global level (Ngai 2016: 2).

## 9.6 Crowdsourcing

In addition to the examples of India and China, there has been an intensification of the outsourcing of digital work through crowdsourcing platforms. Crowdsourcing was a term originally coined by Howe (2006) in *Wired* as 'the act of a company or institution taking a function once performed by employees and outsourcing it to an undefined (and generally large) network of people in the form of an open call'. However, as capital has increasingly understood the benefits of this kind of organisation, it can be understood as 'a third generation sourcing ecosystem', providing a way to access a pool of virtual worker for various tasks (Kaganer et al. 2013: 23). There has been a widespread growth of microwork platforms, like Amazon Mechanical Turk and Upwork, which take large projects and fracture them down into much smaller parts that a crowd of workers can simply and quickly complete. This process 'relies on dyadic relationships consisting of one buyer, one supplier and a well defined final deliverable' (Kaganer et al. 2013: 25). The workers cannot collaborate on these discrete tasks—which Amazon describes in somewhat dystopian terms as Human Intelligence Tasks (HITs)—and competition through bidding is used to drive down costs even further. This kind of microwork is deeply alienating. The individual labour process becomes technologically disassociated and obscured from the overall project. Amazon's 'crowd sorcerers work with coolness and the spectacle of innovation to conceal the worker' (Scholz 2015). Microwork platforms therefore work like a 'black box', a 'system whose workings are mysterious' (Pasquale 2015: 3). As Scholz (2015) has argued, the labour processes involved can therefore be understood as 'digital black box labor'.

The growth of these microwork platforms has allowed labour markets to be more easily connected across geographic borders. As Graham (2015) has argued, there are now 'millions' of workers in 'low-income countries like Kenya who can use

online work to transcend some of their local labour market's constraints'. In a way similar to the business process outsourcing described above, microwork is allowing a deepening of the division of labour with 'a new model of work called "impact sourcing"'. The claim is that businesses in the Global North will 'outsource work to disadvantage people in some of the world's poorest places'. While the business gains access to very low-paid labour, this bargain is said to entail training and opportunities for the new workers pulled into this technologically enabled global marketplace. The popularity of this idea has seen the governments of Nigeria and the Philippines, for example setting up official programs to encourage people to join these platforms. However, these global marketplaces 'force many workers to desperately try to underbid each other to attract short-term contracts. And, because contracts are largely unregulated, stories of discrimination and exploitation abound'. The bargain offered by capital in the Global North therefore does not seem to come with the promised benefits for workers in the Global South.

There has been a longer trend of outsourcing parts of the production of video games. Parts of the process are subcontracted to 'third-party developers outside the geographic core of capital'. The 'tasks that are farmed out include "porting" existing games to additional platforms, rote programming, and made-to-order artwork'. What began as a process of industrial production being outsourced to the Global South, now increasingly involves the outsourcing of immaterial aspects too. There are now game studios 'from the former Soviet bloc to the Indian Subcontinent' and that 'this globalisation of immaterial game labour reminds us that the North's current monopoly on high-tech jobs is not ironclad'. However, it is important to note that it is the lower skilled and less well-paid parts of the labour process moving into the Global South, while profits are retained in the Global North (Dyer-Witheford and de Peuter 2009: 50).

Now within the games themselves, there is an increasing division of labour: 'playbor' (Kücklich 2005) for some and monotonous work for others. This form of work is transcending the boundaries between the virtual and the real economy, with the growth of 'gold farming' and 'real-money trading' in massively multiplayer online games (Heeks 2009: 4). It is estimated that there are at least 100,000 full-time gold farmers in China, accounting for 80% of the global total (Vincent 2011). Although anyone with an Internet connection can 'engage in this sort of digital production and consumption, the actual practices have distinct geographies', for example with a large flow of trade between China and the USA (Graham 2014). Not only have there been exposés of sweatshop conditions for these workers, but also examples of prisoners being forced to play online games to build up credits or items for the guards to sell. Their gameplay was (for the prison guards, at least) 'even more lucrative than the physical labour that prisoners were also forced to do' (Vincent 2011).

The reality of much of this microwork is very low paid and repetitive work. For example, Graham (2015) describes common tasks like 'search engine optimisation' or the writing of short reviews. In addition to crowdsourcing platforms, new kinds of labour are being pulled into support the digital economy. The rise of Web 2.0 platforms like Facebook and YouTube has drawn users into a process of

‘produsage’ (Bruns 2008) in which they both use and produce content. While much research has focused on the role of users’ unpaid labour in creating value for these platforms, less attention is paid to the new low-paid roles needed for this process. Large numbers of workers are now employed to ‘commercial content moderation (CCM)’ work needed to validate user-generated content. The ‘interventions of CCM workers on behalf of the platforms for which they labour directly contradict myths of the Internet as a site for free, unmediated expression’. Their labour process involves the repetitive task of viewing ‘racist, homophobic, violent, and sexist content’ deemed too unpleasant or disturbing for regular users (Roberts 2016a). This supportive strata of exploited workers can also be found with the ‘techno-trash’ generated in the digital economy. Like the workers cleaning Internet platforms, large numbers of workers are involved in the recycling of e-waste, ‘increasingly undertaken’ in the same ‘sites like the Philippines’ (Roberts 2016b). Both of these kinds of work are deemed unpleasant, shifted onto workers in the Global South for the benefit of consumers in the Global North.

## 9.7 Challenges for Workers’ Organisation

The shifts and transformations discussed above have important ramifications for the possibilities of workers’ organisation. The shifting global division of labour is important for understanding the composition of new digital workers—understood across a range of roles, whether programmers directly involved in creation of digital software or other supportive activities. While the specialised and better paid programming roles used to be mainly based in the Global North, they are increasingly been shifted—whether through outsourcing or more generally—to the Global South. As software became more important to capitalism, ‘US power was notably deployed in order to generalise capitalist imperatives in and around world communications’. This meant that the Internet has become ‘an unprecedentedly wide platform for driving capitalist imperatives into new industries, and restructuring existing industries’ (Schiller 2015).

There has been little to no history of trade union organising among software programmers. There are a range of often cited reasons: conditions that are relatively good with high pay, stereotype of programmers as individualistic geeks and loners, or the general decline of organising across different industries. However, Finley (2012) argues that ‘maybe unions are failing in tech because they’re not addressing the real issue: giving developers more control over their work life’. The focus of contemporary trade unions on purely economic demands like better pay or pensions, which means that many of these questions are left unanswered. The ‘frontier of control’ in the workplace between workers and capital is therefore left uncontested in many cases (Goodrich 1975). When considered in these terms, there are clearly organisable demands around autonomy. For example, opposition to unrealistic deadlines or the ubiquitous use of crunch time towards the end of projects could become demands. However, these have previously have not been

posed in this way, as: ‘historically developers have had two options for dealing with bad management: find a better job or found a start-up’ (Finley 2012). However, ‘worker self-management’—or at least contesting control from management—‘would offer a third option—give the developers control over their own work’ (Finley 2012).

It is no surprise that trade unions are not a popular option for software developers—or many other groups of workers across industries. The recent history of trade unions, particularly in the USA, has seen unions negotiate wages and benefits on behalf of workers. In the worst cases, this involves the use of no-strike clauses. Alongside the bureaucratisation of trade unions, this risks workers seeing collective workplace organisation as something that ‘takes away their workplace freedom, not something that gives them the ability to have more control over their day-to-day work life’ (Finley 2012). This is confirmed by Caughey (2001) who argues that ‘while certainly enjoying relatively good incomes, are not at all hostile to union organising, and that there is now, more than ever, a real need for us to get organised’. This need for organising has been indicated in the EA\_Spouse open letter that exposed the working conditions at Electronic Arts from the perspective of the partner of a software developer (Gamasutra 2005).

There have been arguments made that there is the possibility for a wave of unionisation within the software industry (particularly with video games), that could be similar to the film industry in the 1930s and 1940s. The main difference is ‘that Hollywood unionised, and the game industry is still only talking about it’ (Gamasutra 2005). As Tara McPherson has argued, in the ‘Hollywood’s studio era was a lot of independent producers who slowly consolidated into a few key players—we call them the Five Majors—who gained a monopolistic control over distribution’. This led to them being able to control what kinds of products were made and how much workers would be paid. McPherson continues to argue that this is ‘being replayed pretty dramatically in the game industry’. In Hollywood, workers organised in the Screen Actors Guild and the Writers Guild of America in their struggle against managers. The same arguments that were used in Hollywood—that unions are not suitable for this kind of work—are now being rehashed for software programmers. McPherson argues that the big publishers in the games industry will not ‘benevolently change today’s abysmal work conditions without pressure. They will make small changes, but not much else, if the threat of unionization seems real’ (quoted in Gamasutra 2005).

One possibility for workplace organisation was the proposed CyberLodge. Although the project itself is no longer running, the founder argued that there was a ‘need to strike a balance between the need to present a reasonably coordinated message and the need for a highly flexible, portable organization that lets tech workers work the way they do today’, seeking to combine the ethos of open source software with a trade union of sorts (quote in Miller 2003). However, the founder Ian Lurie was an employer, rather than an employee. While this employee association type model is clearly problematic, it also highlights that a lack of organisation is recognised across the industry. Other representatives of capital in the industry are much more hostile to the prospect of unionisation. Adam Levin, a

labour law attorney who often represents employers in the industry, argues that ‘unionization frequently means increased labor costs, which does no one any good’ (quoted in Gamasutra 2005). This argument against unionisation—despite missing the fact improved wages or conditions would benefit workers—misses the fact that capital is extracting huge profits and reducing this would not damage the viability of the industry overall. Similarly, the executive VP of human resources at EA warned that ‘there will always be people who want to step in and take a piece of the pie or get in the middle of things without contributing to the growth of the business’ (quoted in Gamasutra 2005). Now while this could easily be referring to the layer of managers, it is instead referring to trade unions, signalling the hostility present in the industry. That hostility is also a sign of the potential power that organised workers could have.

A range of worker-oriented forms of organisation have also been proposed, for example the now defunct IT Workers Alliance (Caughley 2001), the International IT Workers Union—that no longer exists but was launched on International Workers Day in 2007 (Babylonian 2007), or the more successful, and still running, WashTech. Formed in 1998 by contract workers at Microsoft, WashTech is affiliated with the Communication Workers of America and organises ‘high-tech workers from Silicon Valley to Boston’ (WashTech 2009). One of the approaches that WashTech has taken is to ‘reach out’ to workers ‘via online forums and job boards’ to explain ‘the advantages of joining a union and what we have to offer because not a lot of white-collar workers understand the union process’ (quoted in Gamasutra 2005).

There has also been the establishment of the Communications, Computer, and Software Workers Industrial Union 560, a branch of the Industrial Workers of the World (IWW 2016). Although the IWW is far from a mainstream workers’ organisation, it has experienced growth with recent successes organising at Starbucks in New York (Finley 2012) and cleaners in London (Kirkpatrick 2014). As Immanuel Ness (2014: 6) argues, ‘in the early twentieth century the IWW reflected the organizational aspirations of dispossessed exploited workers, mass production workers who recognized their power to exercise control over industry and represented a tangible means of seizing control over capital through militant and self-directed representative unions’. The potential to combine this history with the new challenges of digital labour holds a lot of potential. As Steve Ayers, a programmer and IWW member, points out, the ‘stereotype of developers as loners is not entirely accurate’, pointing to the example of ‘open source development’, the ‘collaborative endeavor meant to bring about a collective good’. The widespread development and use of open source software is described by Ayers as ‘communism with a lowercase “c”’ (quoted in Finley 2012).

Another important consideration to add to this is that the potential power of programmers has grown as software has become increasingly enmeshed with capital, particularly with the history of ‘sabotage’ in the IWW (Ness 2014: 6). There are ‘all kinds of stories about developers planting viruses, destroying data, stealing secrets, and causing all kinds of electronic mayhem after being shown the door’ (Ramel 2011). For example, one Unix engineer, who was fired from Fannie Mae,

responded with a ‘logic bomb’. This ‘was designed to propagate throughout the Fannie Mae network of computers and destroy all data, including financial, securities, and mortgage information’. Unfortunately, the script was found and the engineer was sentenced to almost three and a half years in prison (quoted in Ramel 2011). Similarly, what was believed to be the first ever computer virus—or at least the first to be discovered and prosecuted over—was designed by a programmer who was fired from the Texas securities firm USPA&IRA Co’. (Ramel 2011). What these examples highlight is that programmers now hold a huge amount of power, particularly as managers are likely to have little or no understanding of the software they rely upon. This is particularly the case in finance, with the dominance of algorithmic trading and servers holding a wealth of data.

## 9.8 Conclusion

So far in this chapter, we have discussed what is meant by digital labour and traced how the new global division of labour is taking shape across the world, taking in software developers, outsourced IT workers in India, Chinese migrant workers, and microworkers logging onto virtual platforms. The argument presented in this chapter is an attempt to move beyond the false dichotomy of ‘old’ and ‘new’—as well as to some extent ‘offline’ and ‘online’—forms of organisation. New forms of digital labour which became widespread in the Global North are now being outsourced and shifted into the Global South, along similar lines to the movement of industrial manufacturing. Although the chapter has focused on the potential for resistance and organisation among software programmers—a kind of labour that is predominantly focused in the Global North—it is a challenge to understand how the political re-composition of this group of workers relates to other forms of labour. Programmers develop and maintain the software and platforms that other forms of labour require, whether to log on to microwork platforms or to run on the hardware produced in electronic factories. There has not been a history of militant worker struggles with this sector, but as the example in the videogame industry highlights, this is not guaranteed to continue.

The importance of understanding how the struggles of software programmers can be connected to other workers is also about interrogating the role of technology under capitalism. Instead of dreaming about how technology can be repurposed after capitalism (which often involves a failure to consider how or why capital will be overcome), there needs to be a focus on how technology can be used in the here and now. As Marx and Engels (1848) argued:

Now and then the workers are victorious, but only for a time. The real fruit of their battles lies, not in the immediate result, but in the ever expanding union of the workers. This union is helped on by the improved means of communication that are created by modern industry, and that place the workers of different localities in contact with one another. It was just this contact that was needed to centralise the numerous local struggles, all of the same character, into one national struggle between classes. But every class struggle is a political struggle.

And that union, to attain which the burghers of the Middle Ages, with their miserable highways, required centuries, the modern proletarian, thanks to railways, achieve in a few years.

Given this was written almost one hundred and seventy years ago, the potential of technology greatly overshadows the railways of the time. There is the possibility of connecting of workers with different labour processes and in different locations across the world, whether directly involved in digital work or not. Crowdsourcing provides a good example of this: capital is experimenting with a way of integrating labour into a global market, drastically driving down wages and conditions as isolated workers compete against each other on a ‘black box’ (Scholz 2015) platform. Yet, there is ‘nothing inevitable about the current state of affairs’. This ‘work is still being done in real places’ by real workers. What is needed is to reassert that workers ‘still have the power to … if needed, disrupt the production of digital work’ (Graham 2015).

Rather than posing a false dichotomy between the ‘online’ and the ‘offline’, new technology can be used to supplement and facilitate (and not replace where it is still a possibility) face-to-face organising. In the case of crowdsourcing, where workers may be located thousands of miles from each other, the example of the ‘Turkopticon’ project—a piece of software designed to help microworkers collect information about work and discuss with each other—provides one way that software can be used to intervene in class struggle (Irani and Silberman 2013). As Dyer-Witheford (2012) points out, ever ‘since hackers led digital systems on a line of flight from their military origins, the Internet has had an ambivalent political virtuality’. But new technology can form part of ‘an electronic fabric of struggle’, playing a political role (Cleaver 1995), as well as providing new ways to monitor and suppress. As the wave of struggles from Occupy to the Arab Spring has shown, ‘the crucial vector is the relation of networks to a workplace’ (Dyer-Witheford 2012). Mass protest and new movements have the potential to spark a new wave of workers’ organisation. As capital seeks to reorganising along a new global division of digital labour, so too will workers. The key is understanding how workplace conflict has been changed by digitalisation and what new forms of resistance and organisation—in addition to traditional methods—will emerge in the political re-composition of the working class.

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